

Charen, Susan

Subject: Several Congressional Committees - OIG Update on the Gold King Mine Spill Investigation
Location: OI Conference Room

Start: Tue 10/11/2016 2:00 PM
End: Tue 10/11/2016 3:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Lagda, Jeffrey
Required Attendees: Sullivan, Patrick F.; (b) (6); (b) (6); (b) (6)
Optional Attendees: Copper, Carolyn; El-Zoghbi, Christine; Lovingood, Christina; Hanger, Eric; Charen, Susan

Importance: High

This is a teleconference to provide an update on the OIG's update on the Gold King Mine spill investigation. Patrick Sullivan will be briefing the Hill staff.

For those participating remotely, please call (b) (6); code – (b) (6).

For HQ folks, this call will take place in the OI conference room.

From: [Lagda, Jeffrey](#)
To: [Sullivan, Patrick F.](#)
Cc: (b) (6); (b) (6); (b) (6); [Larsen, Alan](#); [Hanger, Eric](#); [Kaplan, Jennifer](#)
Subject: FW: Alert: NaturalResources: Chairmen Question DOJ Treatment of EPA in Animas River Disaster
Date: Wednesday, October 12, 2016 6:23:33 PM

Patrick:

The letter went out tonight but I haven't seen it:

Chairmen Question DOJ Treatment of EPA in Animas River Disaster *Decision raises concern of double standard in prosecutions of negligent discharge cases*

WASHINGTON, D.C., October 12, 2016 -

Today, House Committee on Natural Resources Chairman Rob Bishop (R-UT), House Oversight and Government Reform Committee Chairman Jason Chaffetz (R-UT) and House Oversight and Government Reform Interior Subcommittee Chairman Cynthia Lummis (R-WY) sent a letter to the U.S. Department of Justice (DOJ) requesting a briefing. Specifically, the chairmen request DOJ explain its decision not to pursue criminal charges related to EPA's Gold King Mine disaster that were referred to DOJ by the Environmental Protection Agency (EPA) Office of Inspector General (OIG).

EPA OIG reportedly found evidence of criminal wrongdoing including violation of the Clean Water Act and providing false statements in a criminal investigation.

Key excerpts from the letter:

"OIG stated that it had found evidence of criminal wrongdoing by the EPA. These included providing false statements in a criminal investigation and violation of the Clean Water Act. The OIG told congressional staff participants that it had referred these criminal findings to the United States Attorney for the District of Colorado. However, the OIG went on to say that the U.S. Attorney, on the same day, declined to prosecute these charges.

"By not taking up the case, the Department of Justice looks like it is going easy on its colleagues in EPA. Its lack of action on these charges give the appearance of hypocrisy, and seem to indicate that there is one set of rules for private citizens and another for the federal government. The EPA disaster deserves the same level of accountability to which private citizens are held.

"In order to assist the Committees, we ask that you provide the Committees with a briefing on the Department's decision not to take up the OIG's recommendation of criminal charges. Furthermore, research conducted by Oversight Committee staff indicates a large gap between the number of criminal referrals from inspectors general across the federal government and the number of prosecutions taken up by the Department. We request that the briefing take place no later than October 26, 2016."

View the letter [HERE](#).

Contact: Committee Press Office 202-226-9019

From: Bloomberg Government [mailto:alerts@bgov.com]

Sent: Wednesday, October 12, 2016 6:16 PM

To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>

Subject: Alert: NaturalResources: Chairmen Question DOJ Treatment of EPA in Animas River Disaster



NaturalResources: Chairmen Question DOJ Treatment of EPA in Animas River Disaster

October 12, 2016 06:16PM ET | NaturalResources

News Alert

EPA OIG

Relevance: HIGH

Keywords: "inspector general" (Exact Match)

Topics And: Env. Protection Agency

Which sources do you want?: All

Published At:

[Edit this alert](#)

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From: [Lagda, Jeffrey](#)
To: [Elkins, Arthur](#); [Sheehan, Charles](#); [Sullivan, Patrick E.](#); (b) (6); (b) (6); (b) (6);
(b) (6); [Copper, Carolyn](#); [El-Zoghbi, Christine](#); [Lovingood, Christina](#); [Larsen, Alan](#); [Hanger, Eric](#); [Kaplan, Jennifer](#)
Subject: FW: OGR Letter to DOJ on Gold King
Date: Wednesday, October 12, 2016 5:38:02 PM

fyi

From: Hambleton, Ryan [mailto:Ryan.Hambleton@mail.house.gov]
Sent: Wednesday, October 12, 2016 5:25 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: McGrath, William <William.McGrath@mail.house.gov>
Subject: OGR Letter to DOJ on Gold King

Jeff,

I wanted to give you a heads-up that within the next hour or so OGR and Nat. Resources are going to send a joint letter to DOJ asking for an explanation of why the USA in the Colorado District didn't take up the IG's recommendations for prosecution. We'll send you a copy when it's been signed and sent to DOJ.

Ryan Hambleton
Senior Professional Staff Member
House Committee on Oversight & Government Reform
Rep. Jason Chaffetz, Chairman
(b) (6)

From: Hanger, Eric
To: [Lagda, Jeffrey](#)
Subject: RE: Several Congressional Committees - OIG Update on the Gold King Mine Spill Investigation
Date: Tuesday, October 11, 2016 12:19:00 PM

OK, I won't plan on attending.

(b) (5) [REDACTED]
[REDACTED]
[REDACTED]

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 11:29 AM
To: Hanger, Eric <Hanger.Eric@epa.gov>
Subject: RE: Several Congressional Committees - OIG Update on the Gold King Mine Spill Investigation

Eric:

I don't think it is absolutely necessary for you or Sue to attend this one. If any legal questions come up, I can always get back to them later.

Jeff

From: Hanger, Eric
Sent: Tuesday, October 11, 2016 11:26 AM
To: Lagda, Jeffrey <[Lagda.Jeffrey@epa.gov](#)>
Subject: RE: Several Congressional Committees - OIG Update on the Gold King Mine Spill Investigation

Jeff – Did you want me at this briefing? You have me down as optional.

-----Original Appointment-----

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 11:22 AM
To: Sullivan, Patrick F.; (b) (6); (b) (6); (b) (6)
Cc: Copper, Carolyn; El-Zoghbi, Christine; Lovingood, Christina; Hanger, Eric; Charen, Susan
Subject: Several Congressional Committees - OIG Update on the Gold King Mine Spill Investigation
When: Tuesday, October 11, 2016 2:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: OI Conference Room
Importance: High

This is a teleconference to provide an update on the OIG's update on the Gold King Mine spill investigation. Patrick Sullivan will be briefing the Hill staff.

For those participating remotely, please call (b) (6); code – (b) (6).

For HQ folks, this call will take place in the OI conference room.

From: [Hanger, Eric](#)
To: [Lagda, Jeffrey](#)
Subject: Tentative: Several Congressional Committees - OIG Update on the Gold King Mine Spill Investigation
Start: Tuesday, October 11, 2016 2:00:00 PM
End: Tuesday, October 11, 2016 3:00:00 PM
Location: OI Conference Room

From: [Black, Jonathan \(Tom Udall\)](#)
To: [Lagda, Jeffrey](#)
Subject: Automatic reply: EPA OIG - Update on the OIG's Gold King Mine Investigation
Date: Tuesday, October 11, 2016 9:13:49 AM

I'll be out of the office October 10-18 with limited email access.

For immediate help, please contact (b) (6) or call 202-224-6621 and the front desk will assist you.

From: Lagda, Jeffrey
To: ["whitney.mcmahon@mail.house.gov"](mailto:whitney.mcmahon@mail.house.gov)
Subject: FW: EPA OIG - Update on the OIG's Gold King Mine Investigation
Date: Tuesday, October 11, 2016 9:29:00 AM
Importance: High

Hi Whitney:

Good morning! I had originally sent this email to Jessica Conrad, but it bounced back to me.

Would you please forward this invitation to the appropriate colleague on your staff?

Thanks!

Jeff

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William <William.McGrath@mail.house.gov>; 'Hambleton, Ryan' <Ryan.Hambleton@mail.house.gov>; Beaumont, Melissa <melissa.beaumont@mail.house.gov>; Bourke, Jaron <Jaron.Bourke@mail.house.gov>; French, Courtney <Courtney.French@mail.house.gov>; 'Chang, Lena' <Lena.Chang@mail.house.gov>; 'susanne.grooms@mail.house.gov' <susanne.grooms@mail.house.gov>; 'rob.gordon@mail.house.gov' <rob.gordon@mail.house.gov>; 'Conrad, Jessica' <Jessica.Conrad@mail.house.gov>; 'vedgerton@mail.house.gov' <vedgerton@mail.house.gov>; 'Black, Jonathan (Tom Udall)' <Jonathan_Black@tomudall.senate.gov>; Hermann, Maya (Heinrich) <Maya_Hermann@heinrich.senate.gov>; 'Sherman, Laura (Bennet)' <Laura_Sherman@bennet.senate.gov>; 'Loraine, Jennifer (Gardner)' <Jennifer_Loraine@gardner.senate.gov>; 'mike_andrews@indian.senate.gov' <mike_andrews@indian.senate.gov>; 'brandon_ashley@indian.senate.gov' <brandon_ashley@indian.senate.gov>; 'john_tanner@hatch.senate.gov' <john_tanner@hatch.senate.gov>; 'heath_hansen@lee.senate.gov' <heath_hansen@lee.senate.gov>; 'Zimmerman, Melissa (Appropriations)' <Melissa_Zimmerman@appro.senate.gov>; 'chris_tomassi@appro.senate.gov' <chris_tomassi@appro.senate.gov>; 'Gray, Jason' <Jason.Gray@mail.house.gov>; 'Culp, Rita' <Rita.Culp@mail.house.gov>; 'Bolen, Brittany (EPW)' <Brittany_Bolen@epw.senate.gov>; 'Brown, Byron (EPW)' <Byron_Brown@epw.senate.gov>; 'Fox, Thomas (EPW)' <Thomas_Fox@epw.senate.gov>; 'joseph.brzauskas@mail.house.gov' <joseph.brzauskas@mail.house.gov>; 'Pasternak, Doug' <Doug.Pasternak@mail.house.gov>; 'Spencer, Peter' <Peter.Spencer@mail.house.gov>; 'Barblan, Jennifer' <Jennifer.Barblan@mail.house.gov>; 'patrick_lehman@sasse.senate.gov' <patrick_lehman@sasse.senate.gov>; 'christopher_hixon@hsgac.senate.gov' <christopher_hixon@hsgac.senate.gov>; 'robert_bradley@hsgac.senate.gov' <robert_bradley@hsgac.senate.gov>
Cc: Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>

Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation

Importance: High

Everyone:

Good morning.

Patrick Sullivan, EPA Assistant Inspector General of Investigations, will be providing an update on the EPA OIG's Gold King Mine investigation **TODAY at 2:00pm ET via teleconference**. The briefing should last no longer than one hour.

To participate, please call (b) (6) ; code – (b) (6) .

If you plan to join today's teleconference, please RSVP me.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: [Feldgus, Steve](#)
To: [Lagda, Jeffrey](#)
Subject: FW: EPA OIG - Update on the OIG's Gold King Mine Investigation
Date: Tuesday, October 11, 2016 10:31:39 AM
Importance: High

Hi Jeff,

I'm one of the staffers handling Gold King for the House Natural Resources Committee Democrats, so could you please add me to your distribution list on the topic?

Thanks,

--Steve

From: Lagda, Jeffrey [<mailto:Lagda.Jeffrey@epa.gov>]
Sent: Tuesday, October 11, 2016 9:18 AM
To: Watkins, David
Subject: FW: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

Hi David:

Good morning. I sent the email below to Vic and received an out-of-office message.

Would you please forward to the appropriate colleague on your staff?

Thanks,

Jeff

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William <William.McGrath@mail.house.gov>; 'Hambleton, Ryan' <Ryan.Hambleton@mail.house.gov>; Beaumont, Melissa <melissa.beaumont@mail.house.gov>; Bourke, Jaron <Jaron.Bourke@mail.house.gov>; French, Courtney <Courtney.French@mail.house.gov>; 'Chang, Lena' <Lena.Chang@mail.house.gov>; 'susanne.grooms@mail.house.gov' <susanne.grooms@mail.house.gov>; 'rob.gordon@mail.house.gov' <rob.gordon@mail.house.gov>; 'Conrad, Jessica' <Jessica.Conrad@mail.house.gov>; 'vedgerton@mail.house.gov' <vedgerton@mail.house.gov>; 'Black, Jonathan (Tom Udall)' <Jonathan.Black@tomudall.senate.gov>; Hermann, Maya (Heinrich) <Maya.Hermann@heinrich.senate.gov>; 'Sherman, Laura (Bennet)' <Laura.Sherman@bennet.senate.gov>; 'Loraine, Jennifer (Gardner)' <Jennifer.Loraine@gardner.senate.gov>; 'mike_andrews@indian.senate.gov' <mike_andrews@indian.senate.gov>; 'brandon_ashley@indian.senate.gov' <brandon_ashley@indian.senate.gov>; 'john_tanner@hatch.senate.gov' <john_tanner@hatch.senate.gov>; 'heath_hansen@lee.senate.gov'

<heath_hansen@lee.senate.gov>; 'Zimmerman, Melissa (Appropriations)'
<Melissa_Zimmerman@appro.senate.gov>; 'chris_tomassi@appro.senate.gov'
<chris_tomassi@appro.senate.gov>; 'Gray, Jason' <Jason.Gray@mail.house.gov>; 'Culp, Rita'
<Rita.Culp@mail.house.gov>; 'Bolen, Brittany (EPW)' <Brittany_Bolen@epw.senate.gov>; 'Brown, Byron (EPW)' <Byron_Brown@epw.senate.gov>; 'Fox, Thomas (EPW)'
<Thomas_Fox@epw.senate.gov>; 'joseph.brazauskas@mail.house.gov'
<joseph.brazauskas@mail.house.gov>; 'Pasternak, Doug' <Doug.Pasternak@mail.house.gov>;
'Spencer, Peter' <Peter.Spencer@mail.house.gov>; 'Barblan, Jennifer'
<Jennifer.Barblan@mail.house.gov>; 'patrick_lehman@sasse.senate.gov'
<patrick_lehman@sasse.senate.gov>; 'christopher_hixon@hsgac.senate.gov'
<christopher_hixon@hsgac.senate.gov>; 'robert_bradley@hsgac.senate.gov'
<robert_bradley@hsgac.senate.gov>
Cc: Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

Everyone:

Good morning.

Patrick Sullivan, EPA Assistant Inspector General of Investigations, will be providing an update on the EPA OIG's Gold King Mine investigation **TODAY at 2:00pm ET via teleconference**. The briefing should last no longer than one hour.

To participate, please call (b) (6); code – (b) (6).

If you plan to join today's teleconference, please RSVP me.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: [Hambleton, Ryan](#)
To: [Lagda, Jeffrey](#)
Subject: Fwd: Chairmen Question DOJ on Lack of Prosecution in Animas River Spill
Date: Wednesday, October 12, 2016 6:53:14 PM
Attachments: [image001.png](#)
[image001.png](#)

For your information, Jeff. Let us know if you want to discuss anything.

Ryan Hambleton
Senior Professional Staff Member
House Committee on Oversight & Government Reform
Rep. Jason Chaffetz, Chairman

(b) (6)

Begin forwarded message:

From: House Oversight Press <Oversight.Press@mail.house.gov>
Date: October 12, 2016 at 5:52:45 PM EDT
Subject: Chairmen Question DOJ on Lack of Prosecution in Animas River Spill

FOR IMMEDIATE RELEASE

Wednesday, October 12, 2016

[PERMALINK](#)

CONTACT

[MJ Henshaw](#) 202-225-0037 (Chaffetz)

[Molly Block](#) 202-225-0453 (Bishop)

[Joe Spiering](#) 202-225-2311 (Lummis)

Chairmen Question DOJ on Lack of Prosecution in Animas River Spill

Decision raises concern of double standard in prosecutions of negligent discharge cases

WASHINGTON, D.C. – Today, House Oversight and Government Reform Committee Chairman Jason Chaffetz (R-UT), Natural Resources Committee Chairman Rob Bishop (R-UT), and House Oversight and Government Reform Interior Subcommittee Chairman Cynthia Lummis (R-WY) sent a letter to the U.S. Department of Justice (DOJ) requesting a briefing on DOJ's decision not to take up the Environmental Protection Agency (EPA) Office of Inspector General's (OIG) recommendation of criminal charges over the Animas River spill.

EPA OIG found evidence of criminal wrongdoing by an EPA employee including direct discharge of pollutants in violation of the Clean Water Act and providing false statements in a criminal investigation.

Key excerpts from the letter:

"The Gold King Mine disaster resulted in three million gallons of wastewater containing toxic materials, such as lead and arsenic, pouring into the Animas River. ... This is a serious incident and it deserves a serious response from the U.S. Department of Justice. ...

"By not taking up the case, the Department of Justice looks like it is going easy on its colleagues in EPA. Its lack of action on these charges give the appearance of hypocrisy, and seem to indicate that there is one set of rules for private citizens and another for the federal government. The EPA disaster deserves the same level of accountability to which private citizens are held. ...

"Furthermore, research conducted by Oversight Committee staff indicates a large gap between the number of criminal referrals from inspectors general across the federal government and the number of prosecutions taken up by the Department."

View the letter [here](#).

Background:

- In September 2015, the Committee [held a hearing](#) on the EPA's Animas River spill.

###

Kaplan, Jennifer

From: Larsen, Alan
Sent: Tuesday, October 04, 2016 8:06 AM
To: Lagda, Jeffrey; Kaplan, Jennifer
Subject: FW: Gold King Mine

Jeff and Jennifer—(b) (6). I'm pasting Carolyn's response on behalf of OPE:

Al—(b) (5) Patrick can address OI timing.

Thanks!
[Carolyn]

I've asked Pat S to send the OI response to both of you. Once we have that, please respond to Rob Gordon on his question below. Thanks.

Al

From: Larsen, Alan
Sent: Tuesday, October 04, 2016 8:01 AM
To: Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>
Cc: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: RE: Gold King Mine

Thanks Pat. (b) (6) Please include Jeff and Jennifer on your response to me.
Al

From: Sullivan, Patrick F.
Sent: Monday, October 03, 2016 7:00 PM
To: Copper, Carolyn <Copper.Carolyn@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>
Cc: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: RE: Gold King Mine

Al,

(b) (6), (b) (5)

I will provide an update as soon as the meeting is over.

Patrick F. Sullivan
Assistant Inspector General for Investigations
EPA Office of Inspector General
Desk: (202) 566-0308
Cell: (b) (6)
FAX: (202) 566-0814
Email: sullivan.patrick@epa.gov

From: Sullivan, Patrick F.
Sent: Monday, October 03, 2016 2:20 PM
To: Copper, Carolyn <Copper.Carolyn@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>
Cc: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: RE: Gold King Mine

Al,

I will provide an update ASAP, hopefully by close of business today.

From: Copper, Carolyn
Sent: Friday, September 30, 2016 9:38 AM
To: Larsen, Alan <Larsen.Alan@epa.gov>; Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>
Cc: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: RE: Gold King Mine

Al – (b) (5). Patrick can address OI timing.

Thanks!

From: Larsen, Alan
Sent: Friday, September 30, 2016 9:30 AM
To: Copper, Carolyn <Copper.Carolyn@epa.gov>; Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>
Cc: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: FW: Gold King Mine

This question is from a House staffer. (b) (5)

Al

From: Gordon, Rob [<mailto:Rob.Gordon@mail.house.gov>]
Sent: Friday, September 30, 2016 9:26 AM
To: Larsen, Alan <Larsen.Alan@epa.gov>
Subject: RE: Gold King Mine

Al,

Do you have any update as regards the timing of the OIG's Gold King Mine report?

Thanks very much,

Rob

From: Larsen, Alan [<mailto:Larsen.Alan@epa.gov>]
Sent: Monday, September 26, 2016 8:37 AM
To: Gordon, Rob
Cc: Kaplan, Jennifer; Lagda, Jeffrey
Subject: RE: Gold King Mine

Thank you Rob. I will pass this on to the teams working on GKM issues. I don't know whether they already have seen it or not, but thank you for forwarding it.

Al Larsen

From: Gordon, Rob [<mailto:Rob.Gordon@mail.house.gov>]
Sent: Friday, September 23, 2016 10:34 AM
To: Larsen, Alan <Larsen.Alan@epa.gov>
Subject: Gold King Mine

Al:

Over the summer EPA provided several additional document productions to the Subcommittee. In case you have not come across it in your review, I thought I would draw your attention to one of the email chains provided by EPA. On August 7, 2015 EPA officials forwarded an email from (b) (6) Environmental Restoration to other officials with EPA in which (b) states:

(b) (5)



Attached is an image of the document.

Best,

Rob Gordon
Staff Director
Subcommittee on Oversight & Investigations
House Committee on Natural Resources
Direct: (b) (6)

Kaplan, Jennifer

From: Zimmerman, Melissa (Appropriations) <Melissa_Zimmerman@appro.senate.gov>
Sent: Tuesday, October 04, 2016 6:16 PM
To: Lagda, Jeffrey
Cc: Larsen, Alan; Kaplan, Jennifer
Subject: RE: EPA Torts Oversight?

Fantastic, thank you!

From: Lagda, Jeffrey [mailto:Lagda.Jeffrey@epa.gov]
Sent: Tuesday, October 04, 2016 6:01 PM
To: Zimmerman, Melissa (Appropriations)
Cc: Larsen, Alan; Kaplan, Jennifer
Subject: RE: EPA Torts Oversight?

Hi Melissa:

I don't have an answer, but the OIG's General Counsel, Al Larsen, might be able to offer some insight. I will loop him and my supervisor, Jennifer Kaplan, in on this!

Jeff

From: Zimmerman, Melissa (Appropriations) [mailto:Melissa_Zimmerman@appro.senate.gov]
Sent: Tuesday, October 04, 2016 5:54 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: EPA Torts Oversight?

Hi Jeff,

We have many Members frustrated by the very long time it is taking for EPA to issue a finding of liability following the Gold King Mine spill. EPA tells me that the experts that will make an independent opinion on the tort finding does not report to the Administrator, and EPA cannot interfere with or influence the process. This makes sense to me. But, it's nearly 14 months after the spill and we have no liability finding, and no way at this point to question or hold the executive branch accountable on the process.

Do you know who this person – the Claims Officer – might report to? To be clear, we are NOT trying to influence the decision. We just want to understand why this is taking so long and if it is in a reasonable scope of timing, or reasonable justification, based on federal best practices. At this point, we have to just keep telling constituents "not yet," but that answer is getting kind of silly after all this time.

Do you have any insight on what we can do in this situation?

Thank you!
Melissa

Melissa Zimmerman
Clerk, Subcommittee on the Legislative Branch
Professional Staff, Subcommittee on Interior & Environment
Committee on Appropriations
United States Senate

(b) (6)

Kaplan, Jennifer

From: Lagda, Jeffrey
Sent: Wednesday, October 05, 2016 9:31 AM
To: Larsen, Alan; Kaplan, Jennifer
Subject: RE: EPA Torts Oversight?

Al:

Will do. Thanks for this.

Jeff

From: Larsen, Alan
Sent: Wednesday, October 05, 2016 8:16 AM
To: Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>; Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: EPA Torts Oversight?

That's correct—she's not asking about the OIG work. OIG can't interfere with this agency process either. (b) (5)

[REDACTED]
[REDACTED] So, we'll have to respond as follows:

Melissa—OIG also cannot interfere with the process you describe. We can try to determine who else in the Agency you might talk to regarding your logistical questions. We will pursue that, and get back to you.

(b) (5)

Al

From: Kaplan, Jennifer
Sent: Wednesday, October 05, 2016 7:28 AM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Larsen, Alan <Larsen.Alan@epa.gov>
Subject: Re: EPA Torts Oversight?

I don't know the "answer" either, Jeff. (b) (5)
[REDACTED] Al?

Sent from my iPhone

On Oct 4, 2016, at 6:00 PM, Lagda, Jeffrey <Lagda.Jeffrey@epa.gov> wrote:

Hi Melissa:

I don't have an answer, but the OIG's General Counsel, Al Larsen, might be able to offer some insight. I will loop him and my supervisor, Jennifer Kaplan, in on this!

Jeff

From: Zimmerman, Melissa (Appropriations) [mailto:Melissa_Zimmerman@appro.senate.gov]
Sent: Tuesday, October 04, 2016 5:54 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: EPA Torts Oversight?

Hi Jeff,

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Do you know who this person – the Claims Officer – might report to? To be clear, we are NOT trying to influence the decision. We just want to understand why this is taking so long and if it is in a reasonable scope of timing, or reasonable justification, based on federal best practices. At this point, we have to just keep telling constituents "not yet," but that answer is getting kind of silly after all this time.

Do you have any insight on what we can do in this situation?

Thank you!
Melissa

Melissa Zimmerman
Clerk, Subcommittee on the Legislative Branch
Professional Staff, Subcommittee on Interior & Environment
Committee on Appropriations
United States Senate

(b) (6)

Kaplan, Jennifer

From: Kaplan, Jennifer
Sent: Friday, October 07, 2016 5:59 PM
To: Elkins, Arthur
Cc: Sheehan, Charles; Sullivan, Patrick F.; Larsen, Alan; Hanger, Eric; Charen, Susan; Copper, Carolyn; El-Zoghbi, Christine; (b) (6); (b) (6); (b) (6); Lovingood, Christina; Lagda, Jeffrey
Subject: RE: Statutes

Yes, it's a typo. I meant Tuesday. Thanks, Art!

From: Elkins, Arthur
Sent: Friday, October 07, 2016 5:58 PM
To: Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Cc: Sheehan, Charles <Sheehan.Charles@epa.gov>; Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>; Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: Re: Statutes

Okay, sounds like a reasonable path forward. As an aside, Monday is a holiday; your note below indicates OIG outreach on Monday. Is this a typo?

Thanks

Art

Sent from my iPhone

On Oct 7, 2016, at 5:15 PM, Kaplan, Jennifer <Kaplan.Jennifer@epa.gov> wrote:

Art and Chuck,

(b) (5)
[Redacted]
[Redacted]

(b) (5)
[Redacted]
[Redacted]

(b) (5)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

So we're proceeding as follows: Jeff is constructing a comprehensive list of staff for committees and members who have inquired over time about the OIG's work related to Gold King Mine. First thing Monday, he will send an email to those individuals inviting them to participate in a

single 2 p.m. phone briefing with Patrick. After the briefing, we will contact reporters who have covered and/or inquired about our GKM work over time to relay the basic information available to us.

(b) (5)

Jennifer

From: Elkins, Arthur

Sent: Friday, October 07, 2016 11:43 AM

To: Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>

Cc: Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>; Sheehan, Charles <Sheehan.Charles@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>; Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>

Subject: Re: Statutes

(b) (5)

Sent from my iPhone

On Oct 7, 2016, at 11:37 AM, Sullivan, Patrick F. <Sullivan.Patrick@epa.gov> wrote:

Jennifer,

I think (b) (5)

(b) (5)

I think we should plan to all meet next week to map out the way ahead concerning our Congressional and Public Affairs strategy.

Patrick F. Sullivan

Assistant Inspector General for Investigations

EPA Office of Inspector General

Desk: (202) 566-0308

Cell: (b) (6)

Email: sullivan.patrick@epa.gov

From: Kaplan, Jennifer

Sent: Friday, October 7, 2016 11:13:46 AM

To: Sullivan, Patrick F.; Sheehan, Charles

Cc: Larsen, Alan; Elkins, Arthur; Hanger, Eric; Charen, Susan; Copper, Carolyn; El-Zoghbi, Christine; (b) (6); (b) (6); (b) (6); Lovinggood, Christina; Lagda, Jeffrey
Subject: RE: Statutes

Ah – and the agency likely (b) (5)

From: Sullivan, Patrick F.
Sent: Friday, October 07, 2016 11:08 AM
To: Sheehan, Charles <Sheehan.Charles@epa.gov>
Cc: Larsen, Alan <Larsen.Alan@epa.gov>; Elkins, Arthur <Elkins.Arthur@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovinggood, Christina <Lovinggood.Tina@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>; Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: Re: Statutes

Chuck,

One more thing.

In addition to me calling Kevin Minoli, (b) (6) is also going to inform R8 leadership about the declination.

Patrick F. Sullivan
Assistant Inspector General for Investigations
EPA Office of Inspector General
Desk: (202) 566-0308
Cell: (b) (6)
Email: sullivan.patrick@epa.gov

From: Sheehan, Charles
Sent: Friday, October 7, 2016 10:43:27 AM
To: Sullivan, Patrick F.
Cc: Larsen, Alan; Elkins, Arthur; Hanger, Eric; Charen, Susan; Copper, Carolyn; El-Zoghbi, Christine; (b) (6); (b) (6); (b) (6); Lovinggood, Christina; Kaplan, Jennifer; Lagda, Jeffrey
Subject: RE: Statutes

Thanks Pat – good idea.

Chuck

From: Sullivan, Patrick F.
Sent: Friday, October 07, 2016 10:43 AM
To: Sheehan, Charles <Sheehan.Charles@epa.gov>

Cc: Larsen, Alan <Larsen.Alan@epa.gov>; Elkins, Arthur <Elkins.Arthur@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>; Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: Re: Statutes

In addition, Chuck, I am copying Jennifer and Jeff.

We should consider (b) (5).

Patrick F. Sullivan

Assistant Inspector General for Investigations

EPA Office of Inspector General

Desk: (202) 566-0308

Cell: (b) (6)

Email: sullivan.patrick@epa.gov

From: Sullivan, Patrick F.

Sent: Friday, October 7, 2016 10:40:04 AM

To: Sheehan, Charles

Cc: Larsen, Alan; Elkins, Arthur; Hanger, Eric; Charen, Susan; Copper, Carolyn; El-Zoghbi, Christine; (b) (6); (b) (6); (b) (6); Lovingood, Christina

Subject: Re: Statutes

Great questions, Chuck.

OPE can move forward.

I have been keeping Kevin Minoli in the loop.

I will call him to let him know DOJ has declined and that we will be submitting an ROI for possible administrative action by the Agency.

Patrick F. Sullivan

Assistant Inspector General for Investigations

EPA Office of Inspector General

Desk: (202) 566-0308

Cell: (b) (6)

Email: sullivan.patrick@epa.gov

From: Sheehan, Charles

Sent: Friday, October 7, 2016 10:35:35 AM

To: Sullivan, Patrick F.

Cc: Larsen, Alan; Elkins, Arthur; Hanger, Eric; Charen, Susan; Copper, Carolyn; El-Zoghbi, Christine; (b) (6); (b) (6); (b) (6); Lovingood,

Christina

Subject: RE: Statutes

Thanks for the word on the closure of this phase, Pat.

Is there any reason for OPE not having a green light to now continue on with its work?

Should the Agency be told of DOJ's decision?

Chuck

From: Sullivan, Patrick F.

Sent: Friday, October 07, 2016 10:31 AM

To: Sheehan, Charles <Sheehan.Charles@epa.gov>

Cc: Larsen, Alan <Larsen.Alan@epa.gov>; Elkins, Arthur <Elkins.Arthur@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>

Subject: Fw: Statutes

Chuck,

Yesterday, (b) (6) had a meeting with the U.S. Attorney's Office (USAO), District of Colorado, in Denver. Both Criminal and Civil Division AUSAs attended.

The USAO declined prosecution of the subject EPA employee for criminal and civil violations.

(b) (6) is now completing the ROI which will be presented to the Agency for potential administrative action. I estimate (b) (6) will have the ROI submitted to OC for review within four weeks.

Patrick F. Sullivan

Assistant Inspector General for Investigations

EPA Office of Inspector General

Desk: (202) 566-0308

Cell: (b) (6)

Email: sullivan.patrick@epa.gov

From: (b) (6)

Sent: Thursday, October 6, 2016 4:38 PM

To: Sullivan, Patrick F.; (b) (6); (b) (6)

Subject: Statutes

This morning I presented the GKM case for potential criminal prosecution, as well as potential civil litigation. Both were declined.

Criminal violations to be considered:

18 U.S.C. § 1001: False Statements

33 U.S.C. § 1319: Direct Discharge (to Waters of the U.S. including Wetlands)

Thank you, gentlemen, for your time this afternoon.

(b) (6)

United States Environmental Protection Agency
Office of Inspector General
Office of Investigations

(b) (6)

Kaplan, Jennifer

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William; Hambleton, Ryan; Beaumont, Melissa; Bourke, Jaron; French, Courtney; Chang, Lena; susanne.grooms@mail.house.gov; rob.gordon@mail.house.gov; Conrad, Jessica; vedgerton@mail.house.gov; Black, Jonathan (Tom Udall); Hermann, Maya (Heinrich); Sherman, Laura (Bennet); Loraine, Jennifer (Gardner); mike_andrews@indian.senate.gov; brandon_ashley@indian.senate.gov; john_tanner@hatch.senate.gov; heath_hansen@lee.senate.gov; Zimmerman, Melissa (Appropriations); chris_tomassi@appro.senate.gov; Gray, Jason; Culp, Rita; Bolen, Brittany (EPW); Brown, Byron (EPW); Fox, Thomas (EPW); joseph.brazauskas@mail.house.gov; Pasternak, Doug; Spencer, Peter; Barblan, Jennifer; patrick_lehman@sasse.senate.gov; christopher_hixon@hsgac.senate.gov; robert_bradley@hsgac.senate.gov
Cc: Sullivan, Patrick F.; Larsen, Alan; Kaplan, Jennifer
Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

Everyone:

Good morning.

Patrick Sullivan, EPA Assistant Inspector General of Investigations, will be providing an update on the EPA OIG's Gold King Mine investigation **TODAY at 2:00pm ET via teleconference**. The briefing should last no longer than one hour.

To participate, please call (b) (6); code – (b) (6).

If you plan to join today's teleconference, please RSVP me.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

Kaplan, Jennifer

From: Lagda, Jeffrey
Sent: Thursday, October 13, 2016 3:24 PM
To: Michael Carroll
Cc: Kaplan, Jennifer
Subject: RE: Media Query From AMI Newswire

Hi Michael:

Here is the response to your questions:

- Q1: Does the EPA have any response as of yet to the letter from Rep. Jason Chaffetz and his request that the EPA brief three congressional committees on the outcome of the EPA investigation?**
- A1:** The OIG has no comment on that letter from Chairman Chaffetz. [Michael...I want to point out that the congressional letter was actually directed to DOJ.]
- Q2: The letter stated that the EPA Office of Inspector General found evidence of criminal wrongdoing by the EPA. Is that a fair characterization of the OIG's findings?**
- A2:** The OIG's special agents presented the facts to the USAO about whether an EPA employee may have violated the Clean Water Act and may have made false statements to the OIG.

If you have any additional questions, please let me know.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Michael Carroll [mailto:]
Sent: Thursday, October 13, 2016 2:05 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: Media Query From AMI Newswire

Oct. 13, 2016

Dear Mr. Lagda,

I left you a brief voice mail earlier today -- thank you very much for sending out the update on Wednesday about the Gold King Mine investigation. I had just a couple of questions I wanted to ask:

Does the EPA have any response as of yet to the [letter](#) from Rep. Jason Chaffetz and his request that the EPA brief three congressional committees on the outcome of the EPA investigation?

The letter stated that the EPA Office of Inspector General found evidence of criminal wrongdoing by the EPA.
Is that a fair characterization of the OIG's findings?

Thanks again for any assistance you can offer and any updated information you can provide.

Sincerely,

--

Michael Carroll
AMI Newswire

(b) (6)

email: (b) (6)

Kaplan, Jennifer

From: Lagda, Jeffrey
Sent: Thursday, October 13, 2016 3:30 PM
To: Jackie Toth
Cc: Kaplan, Jennifer
Subject: FW: Press Inquiry re: Gold King Mine

Hi Jackie:

I know you had a 3pm deadline, so this may be too late:

Q1: Can you confirm EPA's OIG held a conference call with congressional staff this month and said during the call EPA's OIG had found EPA violated the Clean Water Act and gave false statements to investigators looking into the Gold King Mine spill?

A1: The OIG briefed congressional staff on October 1, 2016. During the call, the OIG said that we had presented the facts to the USAO about whether an EPA employee may have violated the Clean Water Act and may have made false statements to the OIG.

Q2: Do we have a date on that call?

A2: [See above.]

Q3: Staffers from which offices, if that is able to be disclosed?

A3: Staffers from several committees and member offices were involved in that briefing.

Take care,

Jeff

From: Jackie Toth [mailto:]
Sent: Thursday, October 13, 2016 2:31 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: Press Inquiry re: Gold King Mine

Thank you, Jeff! Much appreciated.

3 quick follow-ups if you have a second:

- Can you confirm EPA's OIG held a conference call with congressional staff this month and said during the call EPA's OIG had found EPA violated the Clean Water Act and gave false statements to investigators looking into the Gold King Mine spill?

- Do we have a date on that call?

- Staffers from which offices, if that is able to be disclosed?

Thanks again and best,
Jackie

From: Lagda, Jeffrey [<mailto:Lagda.Jeffrey@epa.gov>]
Sent: Thursday, October 13, 2016 2:22 PM
To: Jackie Toth
Cc: Kaplan, Jennifer
Subject: RE: Press Inquiry re: Gold King Mine

Hi Jackie:

The OIG's role is to present the facts of an investigation to DOJ. DOJ determines whether or not it will accept a case for prosecution.

The OIG had presented the case to the AUSA well before October 2016. It was on October 6, 2016, that the DOJ declined prosecution.

If you have any additional questions, let me know.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Jackie Toth [<mailto:>]
Sent: Thursday, October 13, 2016 12:59 PM
To: Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Cc: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: Press Inquiry re: Gold King Mine

Hi Jennifer and Jeffrey,

Hope this message finds you well. Does EPA OIG have a statement on DOJ's decision not to prosecute over the 2015 Gold King Mine spill? Can you confirm EPA OIG contacted the U.S. Attorney for the District of Colorado Oct. 6 and the U.S. Attorney decided not to prosecute also on Oct. 6?

My deadline is today at 3pm EST, if possible.

Thanks in advance and best,
Jackie Toth

Jackie Toth
Energy & Environment Reporter
CQ Roll Call - CQ Legal
O: (b) (6)
C: (b) (6)
(b) (6)

OCA highlights report for the 2-week period ending 10-14-16

Congressional Activities

Gold King Mine

- Coordinated/participated in teleconference to relay update on OIG's work related to Gold King Mine release. The staff of the following committees and members were invited: House Appropriations; Senate Appropriations; House Committee on Natural Resources; HOCR/Rep. Lummis/Rep. Buck; Senate Indian Affairs; House Energy and Commerce; House Science; Senate EPW; Senate HSGAC; Sen. Udall; Sen. Heinrich; Sen. Bennet; Sen. Gardner; Sen. Barrasso; Sen. McCain; Sen. Hatch; Sen. Lee; and Rep. Gohmert
- Spoke to Sen. Heinrich's staffer regarding question about teleconference attendance
- Responded to HOCR majority staffer who advised of pending letter to IG from HOCR and House Natural Resources Chairs
- Provided requested update on OIG's work to Sen. Udall's (D-N.M.) staffer
- Provided requested update on OIG's work to Senate Appropriations minority staffer
- Responded to a Senate EPW minority staffer on question

Other Topics

- Responded to Senate Appropriations minority about liability issues
- Arranged/participated in teleconference with House Appropriations majority/minority regarding CSB updates
- Arranged/participated in teleconference with HOCR majority/minority on Region 5 whistleblower retaliation allegations

Open Congressionals

- Bennett, Gardner, Hatch, Heinrich, Lee, and Udall – OIG review on cause and EPA response to Gold King Mine spill
- Bishop and Gohmert - OIG review on cause and EPA response to Gold King Mine spill
- Castor - constituent complaint
- Chaffetz, Buck, and Lummis – OIG review on cause and EPA response to Gold King Mine spill
- Chaffetz and Cummings – OIG review on EPA handling of Region 5 sexual harassment cases
- Grassley – Human Subjects review
- Inhofe – Updates on recent actions related to OIG investigations (b) (6)
- Inhofe and Roberts – OIG audit of EPA's cooperative agreement with the Northwest Indian Fisheries Commission
- McCain and Barrasso – Gold King Mine Spill
- McHenry and Meadows – OIG investigation of CTS of Asheville Superfund site
- Smith – OIG audit of allegations of improperly deleted text messages by Administrator

Media

Gold King Mine

- Verified for BuzzFeed that last OIG news announcement on topic was in April 2016
- Wrote/disseminated informal statement to media outlets with update on OIG's investigations and evaluation work
- Responded to questions from the following media outlets: *Denver Post*, *The Hill*, *Durango Herald*, Colorado Public Radio, *Wall Street Journal*, Associated Press, Reuters; KDVR (Denver), BuzzFeed, *Politico*, *Daily Caller*, Bloomberg News, *CQ Roll Call*, *Inside EPA*, AMI Newswire and *Farmington Daily-Times*

Other Topics

- Responded to Bloomberg News on questions regarding a *Greenwire* article about CSB
- Acknowledged message from Federal News Radio with link to radio interview of OPE evaluator on water issues
- Acknowledged message from Center for Public Integrity with link to article on EPA's Clean Air Act enforcement

Transition

- Shared CIGIE Presidential Transition Handbook with EPA Transition Director and her team
- Discussion continued about offices' work on requested issue papers (doesn't apply to OIG)
- EPA team plans to send issue papers to the White House by Nov. 1
- "Landing team" is expected to arrive at EPA on or about Nov. 14. GSA is negotiating MOUs for those representing the president-elect to review documents. These individuals will have "guest" access to computers, as well as telephones, workspace and office supplies.

Publications

- Published One Final Report: EPA Purchase Orders (OA)
- Reviewed Two Final Reports: Flint Management Alert (OPE) and DATA Act (OA)
- *Semiannual Report to Congress*: circulated first and second drafts during this period

Multimedia

- **Podcasts:** Flint (OPE) podcast awaiting release with management alert. Upcoming: Fumigation report podcast.
- **Video:** [OIG YouTube channel \(CTS and congressional videos public\)](#). Flint public video ready, awaiting report issuance.
- **iMac update:** Back at HQ! ITSS working on configuring.
- **Imagery in Reports:** Provided consultation and graphics production work on 3 reports: Financial Assurance (OPE), DATA ACT Implementation (OA) and OIG VERA-VSIP (OPE).

Web-based Communications

- Assisted OCFO by providing a Section 508 compliant pdf of OIG's final 2016 Management Challenges report without page numbers as requested for inclusion in the agency's overall financial statement to be published mid-November. (OCFO expressed appreciation.) Pledged to provide same with regard to OIG financial audit report when available.
- Promoted IGEMS report code changes with a blog post, weekly reminder mention, and intranet front page billboard

Conversation with Federal Reserve OIG

- Gary, Jason and Michael met with members of the Federal Reserve OIG public affairs team to swap practices related to multimedia, social media, web tracking, editing and communications strategy overall. Provided consultation and guidance as the other office is just beginning to wade into some of these areas well underway at EPA OIG.

OCPA Personnel

- (b) (6), (b) (2)
- Congressional/media liaison position still vacant – recruitment efforts in progress

Public Information

- Of seven public information inquiries, two were referred to the hotline, three were referred to state government agencies, one was referred to a pair of other OIGs and one was referred to the Thrift Savings Plan.

Lagda, Jeffrey

From: Loraine, Jennifer (Gardner) <Jennifer_Loraine@gardner.senate.gov>
Sent: Tuesday, October 11, 2016 9:14 AM
To: Lagda, Jeffrey
Subject: Automatic reply: EPA OIG - Update on the OIG's Gold King Mine Investigation

Thank you for contacting me. I will have limited access to email through October 24th. If you need immediate assistance, please call (b) (6)

Lagda, Jeffrey

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William; 'Hambleton, Ryan'; Beaumont, Melissa; Bourke, Jaron; French, Courtney; 'Chang, Lena'; 'susanne.grooms@mail.house.gov'; 'rob.gordon@mail.house.gov'; 'Conrad, Jessica'; 'vedgerton@mail.house.gov'; 'Black, Jonathan (Tom Udall)'; Hermann, Maya (Heinrich); 'Sherman, Laura (Bennet)'; 'Lorraine, Jennifer (Gardner)'; 'mike_andrews@indian.senate.gov'; 'brandon_ashley@indian.senate.gov'; 'john_tanner@hatch.senate.gov'; 'heath_hansen@lee.senate.gov'; 'Zimmerman, Melissa (Appropriations)'; 'chris_tomassi@appro.senate.gov'; 'Gray, Jason'; 'Culp, Rita'; 'Bolen, Brittany (EPW)'; 'Brown, Byron (EPW)'; 'Fox, Thomas (EPW)'; 'joseph.brazauskas@mail.house.gov'; 'Pasternak, Doug'; 'Spencer, Peter'; 'Barblan, Jennifer'; 'patrick_lehman@sasse.senate.gov'; 'christopher_hixon@hsgac.senate.gov'; 'robert_bradley@hsgac.senate.gov'
Cc: Sullivan, Patrick F.; Larsen, Alan; Kaplan, Jennifer
Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

Everyone:

Good morning.

Patrick Sullivan, EPA Assistant Inspector General of Investigations, will be providing an update on the EPA OIG's Gold King Mine investigation **TODAY at 2:00pm ET via teleconference**. The briefing should last no longer than one hour.

To participate, please call (b) (6); code – (b) (6).

If you plan to join today's teleconference, please RSVP me.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

Lagda, Jeffrey

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 9:23 AM
To: 'chris_hansen@gardner.senate.gov'
Cc: 'Loraine, Jennifer (Gardner)'
Subject: FW: EPA OIG - Update on the OIG's Gold King Mine Investigation

Importance: High

Hi Chris:

I received an out-of-office message from Jennifer who has been closely monitoring this subject.

Would you please forward this invite to the appropriate staffer?

Thanks!

Jeff

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William <William.McGrath@mail.house.gov>; 'Hambleton, Ryan' <Ryan.Hambleton@mail.house.gov>; Beaumont, Melissa <melissa.beaumont@mail.house.gov>; Bourke, Jaron <Jaron.Bourke@mail.house.gov>; French, Courtney <Courtney.French@mail.house.gov>; 'Chang, Lena' <Lena.Chang@mail.house.gov>; 'susanne.grooms@mail.house.gov' <susanne.grooms@mail.house.gov>; 'rob.gordon@mail.house.gov' <rob.gordon@mail.house.gov>; 'Conrad, Jessica' <Jessica.Conrad@mail.house.gov>; 'vedgerton@mail.house.gov' <vedgerton@mail.house.gov>; 'Black, Jonathan (Tom Udall)' <Jonathan_Black@tomudall.senate.gov>; Hermann, Maya (Heinrich) <Maya_Hermann@heinrich.senate.gov>; 'Sherman, Laura (Bennet)' <Laura_Sherman@bennet.senate.gov>; 'Loraine, Jennifer (Gardner)' <Jennifer_Loraine@gardner.senate.gov>; 'mike_andrews@indian.senate.gov' <mike_andrews@indian.senate.gov>; 'brandon_ashley@indian.senate.gov' <brandon_ashley@indian.senate.gov>; 'john_tanner@hatch.senate.gov' <john_tanner@hatch.senate.gov>; 'heath_hansen@lee.senate.gov' <heath_hansen@lee.senate.gov>; 'Zimmerman, Melissa (Appropriations)' <Melissa_Zimmerman@appro.senate.gov>; 'chris_tomassi@appro.senate.gov' <chris_tomassi@appro.senate.gov>; 'Gray, Jason' <Jason.Gray@mail.house.gov>; 'Culp, Rita' <Rita.Culp@mail.house.gov>; 'Bolen, Brittany (EPW)' <Brittany_Bolen@epw.senate.gov>; 'Brown, Byron (EPW)' <Byron_Brown@epw.senate.gov>; 'Fox, Thomas (EPW)' <Thomas_Fox@epw.senate.gov>; 'joseph.brazauskas@mail.house.gov' <joseph.brazauskas@mail.house.gov>; 'Pasternak, Doug' <Doug.Pasternak@mail.house.gov>; 'Spencer, Peter' <Peter.Spencer@mail.house.gov>; 'Barblan, Jennifer' <Jennifer.Barblan@mail.house.gov>; 'patrick_lehman@sasse.senate.gov' <patrick_lehman@sasse.senate.gov>; 'christopher_hixon@hsgac.senate.gov' <christopher_hixon@hsgac.senate.gov>; 'robert_bradley@hsgac.senate.gov' <robert_bradley@hsgac.senate.gov>
Cc: Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

Everyone:

Good morning.

Patrick Sullivan, EPA Assistant Inspector General of Investigations, will be providing an update on the EPA OIG's Gold King Mine investigation **TODAY at 2:00pm ET via teleconference**. The briefing should last no longer than one hour.

To participate, please call (b) (6); code – (b) (6).

If you plan to join today's teleconference, please RSVP me.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

Lagda, Jeffrey

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 9:20 AM
To: 'Emma_Locatelli@tomudall.senate.gov'
Cc: 'Black, Jonathan (Tom Udall)'
Subject: FW: EPA OIG - Update on the OIG's Gold King Mine Investigation

Importance: High

Hi Emma:

I received an out-of-office message from Jonathan regarding my email below.

Would you please forward it to the appropriate colleague on your staff?

Thanks,

Jeff

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William <William.McGrath@mail.house.gov>; 'Hambleton, Ryan' <Ryan.Hambleton@mail.house.gov>; Beaumont, Melissa <melissa.beaumont@mail.house.gov>; Bourke, Jaron <Jaron.Bourke@mail.house.gov>; French, Courtney <Courtney.French@mail.house.gov>; 'Chang, Lena' <Lena.Chang@mail.house.gov>; 'susanne.grooms@mail.house.gov' <susanne.grooms@mail.house.gov>; 'rob.gordon@mail.house.gov' <rob.gordon@mail.house.gov>; 'Conrad, Jessica' <Jessica.Conrad@mail.house.gov>; 'vedgerton@mail.house.gov' <vedgerton@mail.house.gov>; 'Black, Jonathan (Tom Udall)' <Jonathan_Black@tomudall.senate.gov>; Hermann, Maya (Heinrich) <Maya_Hermann@heinrich.senate.gov>; 'Sherman, Laura (Bennet)' <Laura_Sherman@bennet.senate.gov>; 'Loraine, Jennifer (Gardner)' <Jennifer_Loraine@gardner.senate.gov>; 'mike_andrews@indian.senate.gov' <mike_andrews@indian.senate.gov>; 'brandon_ashley@indian.senate.gov' <brandon_ashley@indian.senate.gov>; 'john_tanner@hatch.senate.gov' <john_tanner@hatch.senate.gov>; 'heath_hansen@lee.senate.gov' <heath_hansen@lee.senate.gov>; 'Zimmerman, Melissa (Appropriations)' <Melissa_Zimmerman@appro.senate.gov>; 'chris_tomassi@appro.senate.gov' <chris_tomassi@appro.senate.gov>; 'Gray, Jason' <Jason.Gray@mail.house.gov>; 'Culp, Rita' <Rita.Culp@mail.house.gov>; 'Bolen, Brittany (EPW)' <Brittany_Bolen@epw.senate.gov>; 'Brown, Byron (EPW)' <Byron_Brown@epw.senate.gov>; 'Fox, Thomas (EPW)' <Thomas_Fox@epw.senate.gov>; 'joseph.brazauskas@mail.house.gov' <joseph.brazauskas@mail.house.gov>; 'Pasternak, Doug' <Doug.Pasternak@mail.house.gov>; 'Spencer, Peter' <Peter.Spencer@mail.house.gov>; 'Barblan, Jennifer' <Jennifer.Barblan@mail.house.gov>; 'patrick_lehman@sasse.senate.gov' <patrick_lehman@sasse.senate.gov>; 'christopher_hixon@hsgac.senate.gov' <christopher_hixon@hsgac.senate.gov>; 'robert_bradley@hsgac.senate.gov' <robert_bradley@hsgac.senate.gov>
Cc: Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

Everyone:

Good morning.

Patrick Sullivan, EPA Assistant Inspector General of Investigations, will be providing an update on the EPA OIG's Gold King Mine investigation **TODAY at 2:00pm ET via teleconference**. The briefing should last no longer than one hour.

To participate, please call (b) (6); code – (b) (6).

If you plan to join today's teleconference, please RSVP me.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Lagda, Jeffrey
To: ["Locatelli, Emma \(Tom Udall\)"](#)
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation
Date: Wednesday, October 12, 2016 11:24:00 AM

Hi Emma:

Unfortunately a recording wasn't made and minutes were not taken. But I'll write a basic summary and send it to you this afternoon.

Take care,

Jeff

From: Locatelli, Emma (Tom Udall) [mailto:Emma_Locatelli@tomudall.senate.gov]
Sent: Wednesday, October 12, 2016 10:43 AM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation

Hi Jeff,

Unfortunately, no one in the office was able to call into the call – would you be able to send a summary of Patrick Sullivan discussed, or is there a recording I could listen to? We definitely want to stay updated on the situation. Thanks.

Best,
Emma

From: Lagda, Jeffrey [<mailto:Lagda.Jeffrey@epa.gov>]
Sent: Tuesday, October 11, 2016 9:20 AM
To: Locatelli, Emma (Tom Udall) <Emma_Locatelli@tomudall.senate.gov>
Cc: Black, Jonathan (Tom Udall) <Jonathan_Black@tomudall.senate.gov>
Subject: FW: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

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Thanks,

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To: McGrath, William <William.McGrath@mail.house.gov>; 'Hambleton, Ryan' <Ryan.Hambleton@mail.house.gov>; Beaumont, Melissa <melissa.beaumont@mail.house.gov>; Bourke, Jaron <Jaron.Bourke@mail.house.gov>; French, Courtney <Courtney.French@mail.house.gov>; 'Chang, Lena' <Lena.Chang@mail.house.gov>; 'susanne.grooms@mail.house.gov' <susanne.grooms@mail.house.gov>; 'rob.gordon@mail.house.gov' <rob.gordon@mail.house.gov>; 'Conrad, Jessica' <Jessica.Conrad@mail.house.gov>; 'vedgerton@mail.house.gov' <vedgerton@mail.house.gov>; 'Black, Jonathan (Tom Udall)' <Jonathan.Black@tomudall.senate.gov>; Hermann, Maya (Heinrich) <Maya.Hermann@heinrich.senate.gov>; 'Sherman, Laura (Bennet)' <Laura.Sherman@bennet.senate.gov>; 'Loraine, Jennifer (Gardner)' <Jennifer.Loraine@gardner.senate.gov>; 'mike_andrews@indian.senate.gov' <mike_andrews@indian.senate.gov>; 'brandon_ashley@indian.senate.gov' <brandon_ashley@indian.senate.gov>; 'john_tanner@hatch.senate.gov' <john_tanner@hatch.senate.gov>; 'heath_hansen@lee.senate.gov' <heath_hansen@lee.senate.gov>; 'Zimmerman, Melissa (Appropriations)' <Melissa.Zimmerman@appro.senate.gov>; 'chris_tomassi@appro.senate.gov' <chris_tomassi@appro.senate.gov>; 'Gray, Jason' <Jason.Gray@mail.house.gov>; 'Culp, Rita' <Rita.Culp@mail.house.gov>; 'Bolen, Brittany (EPW)' <Brittany.Bolen@epw.senate.gov>; 'Brown, Byron (EPW)' <Byron.Brown@epw.senate.gov>; 'Fox, Thomas (EPW)' <Thomas.Fox@epw.senate.gov>; 'joseph.brazauskas@mail.house.gov' <joseph.brazauskas@mail.house.gov>; 'Pasternak, Doug' <Doug.Pasternak@mail.house.gov>; 'Spencer, Peter' <Peter.Spencer@mail.house.gov>; 'Barblan, Jennifer' <Jennifer.Barblan@mail.house.gov>; 'patrick_lehman@sasse.senate.gov' <patrick_lehman@sasse.senate.gov>; 'christopher_hixon@hsgac.senate.gov' <christopher_hixon@hsgac.senate.gov>; 'robert_bradley@hsgac.senate.gov' <robert_bradley@hsgac.senate.gov>;
Cc: Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>

Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation

Importance: High

Everyone:

Good morning.

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To participate, please call (b) (6) **; code –** (b) (6) **.**

If you plan to join today's teleconference, please RSVP me.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Lagda, Jeffrey
To: ["Barblan, Jennifer"](#)
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation
Date: Tuesday, October 11, 2016 9:38:00 AM

Thanks, Jen!

From: Barblan, Jennifer [mailto:Jennifer.Barblan@mail.house.gov]
Sent: Tuesday, October 11, 2016 9:37 AM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation

Hi Jeff,

I plan to join today's teleconference. Thanks for the invitation.

-- Jen

From: Lagda, Jeffrey [mailto:Lagda.Jeffrey@epa.gov]
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William; Hambleton, Ryan; Beaumont, Melissa; Bourke, Jaron; French, Courtney; Chang, Lena; Grooms, Susanne Sachsman; Gordon, Rob; Conrad, Jessica; Edgerton, Vic; Black, Jonathan (Tom Udall); Hermann, Maya (Heinrich); Sherman, Laura (Bennet); Loraine, Jennifer (Gardner); mike_andrews@indian.senate.gov; brandon_ashley@indian.senate.gov; john_tanner@hatch.senate.gov; heath_hansen@lee.senate.gov; Zimmerman, Melissa (Appropriations); chris_tomassi@appro.senate.gov; Gray, Jason; Culp, Rita; Bolen, Brittany (EPW); Brown, Byron (EPW); Fox, Thomas (EPW); Brazauskas, Joseph; Pasternak, Doug; Spencer, Peter; Barblan, Jennifer; patrick_lehman@sasse.senate.gov; christopher_hixon@hsgac.senate.gov; robert_bradley@hsgac.senate.gov
Cc: Sullivan, Patrick F.; Larsen, Alan; Kaplan, Jennifer
Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

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Thanks,

Jeff

Jeffrey A. Lagda

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Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: [Watkins, David](#)
To: [Lagda, Jeffrey](#)
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation
Date: Tuesday, October 11, 2016 9:32:30 AM

Thanks. Will do.

*David Watkins
Democratic Staff Director
House Natural Resources Committee
1329 Longworth House Office Building
(b) (6)*

From: Lagda, Jeffrey [mailto:Lagda.Jeffrey@epa.gov]
Sent: Tuesday, October 11, 2016 9:18 AM
To: Watkins, David
Subject: FW: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

Hi David:

Good morning. I sent the email below to Vic and received an out-of-office message.

Would you please forward to the appropriate colleague on your staff?

Thanks,

Jeff

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William <William.McGrath@mail.house.gov>; 'Hambleton, Ryan' <Ryan.Hambleton@mail.house.gov>; Beaumont, Melissa <melissa.beaumont@mail.house.gov>; Bourke, Jaron <Jaron.Bourke@mail.house.gov>; French, Courtney <Courtney.French@mail.house.gov>; 'Chang, Lena' <Lena.Chang@mail.house.gov>; 'susanne.grooms@mail.house.gov' <susanne.grooms@mail.house.gov>; 'rob.gordon@mail.house.gov' <rob.gordon@mail.house.gov>; 'Conrad, Jessica' <Jessica.Conrad@mail.house.gov>; 'vedgerton@mail.house.gov' <vedgerton@mail.house.gov>; 'Black, Jonathan (Tom Udall)' <Jonathan.Black@tomudall.senate.gov>; Hermann, Maya (Heinrich) <Maya.Hermann@heinrich.senate.gov>; 'Sherman, Laura (Bennet)' <Laura.Sherman@bennet.senate.gov>; 'Loraine, Jennifer (Gardner)' <Jennifer.Loraine@gardner.senate.gov>; 'mike_andrews@indian.senate.gov' <mike_andrews@indian.senate.gov>; 'brandon_ashley@indian.senate.gov' <brandon_ashley@indian.senate.gov>; 'john_tanner@hatch.senate.gov' <john_tanner@hatch.senate.gov>; 'heath_hansen@lee.senate.gov' <heath_hansen@lee.senate.gov>; 'Zimmerman, Melissa (Appropriations)'

<Melissa_Zimmerman@appro.senate.gov>; 'chris_tomassi@appro.senate.gov'
<chris_tomassi@appro.senate.gov>; 'Gray, Jason' <Jason.Gray@mail.house.gov>; 'Culp, Rita'
<Rita.Culp@mail.house.gov>; 'Bolen, Brittany (EPW)' <Brittany_Bolen@epw.senate.gov>; 'Brown,
Byron (EPW)' <Byron_Brown@epw.senate.gov>; 'Fox, Thomas (EPW)'
<Thomas_Fox@epw.senate.gov>; 'joseph.brazauskas@mail.house.gov'
<joseph.brazauskas@mail.house.gov>; 'Pasternak, Doug' <Doug.Pasternak@mail.house.gov>;
'Spencer, Peter' <Peter.Spencer@mail.house.gov>; 'Barblan, Jennifer'
<Jennifer.Barblan@mail.house.gov>; 'patrick_lehman@sasse.senate.gov'
<patrick_lehman@sasse.senate.gov>; 'christopher_hixon@hsgac.senate.gov'
<christopher_hixon@hsgac.senate.gov>; 'robert_bradley@hsgac.senate.gov'
<robert_bradley@hsgac.senate.gov>

Cc: Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Kaplan,
Jennifer <Kaplan.Jennifer@epa.gov>

Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation

Importance: High

Everyone:

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If you plan to join today's teleconference, please RSVP me.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Lagda, Jeffrey
To: ["Grooms, Susanne Sachsman"](#)
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation
Date: Tuesday, October 11, 2016 9:23:00 AM

Thanks, Susanne!

From: Grooms, Susanne Sachsman [mailto:Susanne.Grooms@mail.house.gov]
Sent: Tuesday, October 11, 2016 9:20 AM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation

I'll be on this. Thanks.

From: Lagda, Jeffrey [mailto:Lagda.Jeffrey@epa.gov]
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William; Hambleton, Ryan; Beaumont, Melissa; Bourke, Jaron; French, Courtney; Chang, Lena; Grooms, Susanne Sachsman; Gordon, Rob; Conrad, Jessica; Edgerton, Vic; Black, Jonathan (Tom Udall); Hermann, Maya (Heinrich); Sherman, Laura (Bennet); Loraine, Jennifer (Gardner); mike_andrews@indian.senate.gov; brandon_ashley@indian.senate.gov; john_tanner@hatch.senate.gov; heath_hansen@lee.senate.gov; Zimmerman, Melissa (Appropriations); chris_tomassi@appro.senate.gov; Gray, Jason; Culp, Rita; Bolen, Brittany (EPW); Brown, Byron (EPW); Fox, Thomas (EPW); Brazauskas, Joseph; Pasternak, Doug; Spencer, Peter; Barblan, Jennifer; patrick_lehman@sasse.senate.gov; christopher_hixon@hsgac.senate.gov; robert_bradley@hsgac.senate.gov
Cc: Sullivan, Patrick F.; Larsen, Alan; Kaplan, Jennifer
Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

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Jeff

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Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460

202-566-2584

Lagda.Jeffrey@epa.gov

From: Lagda, Jeffrey
To: ["Fox, Thomas \(EPW\)"](#)
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation
Date: Tuesday, October 11, 2016 10:25:00 AM

Thanks, Tom!

From: Fox, Thomas (EPW) [mailto:Thomas_Fox@epw.senate.gov]
Sent: Tuesday, October 11, 2016 10:19 AM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation

Jeff: I will call in.

Thanks.

Tom

Thomas R. Fox
Democratic Senior Counsel
EPW

From: Lagda, Jeffrey [<mailto:Lagda.Jeffrey@epa.gov>]
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William; Hambleton, Ryan; Beaumont, Melissa; Bourke, Jaron; French, Courtney; Chang, Lena; susanne.grooms@mail.house.gov; rob.gordon@mail.house.gov; Conrad, Jessica; vedgerton@mail.house.gov; Black, Jonathan (Tom Udall); Hermann, Maya (Heinrich); Sherman, Laura (Bennet); Loraine, Jennifer (Gardner); Andrews, Mike (Indian Affairs); Ashley, Brandon (Indian Affairs); Tanner, John (Hatch); Hansen, Heath (Lee); Zimmerman, Melissa (Appropriations); Tomassi, Chris (Appropriations); Gray, Jason; Culp, Rita; Bolen, Brittany (EPW); Brown, Byron (EPW); Fox, Thomas (EPW); joseph.brazauskas@mail.house.gov; Pasternak, Doug; Spencer, Peter; Barblan, Jennifer; Lehman, Patrick (Sasse); Hixon, Christopher (HSGAC); Bradley, Robert (HSGAC)
Cc: Sullivan, Patrick F.; Larsen, Alan; Kaplan, Jennifer
Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

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Jeff

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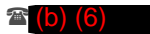
From: Lagda, Jeffrey
To: ["Sherman, Laura \(Bennet\)"](#)
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation
Date: Tuesday, October 11, 2016 9:51:00 AM

Thanks, Laura!

From: Sherman, Laura (Bennet) [mailto:Laura_Sherman@bennet.senate.gov]
Sent: Tuesday, October 11, 2016 9:50 AM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation

Hi Jeff,
I will be on the call today.

Thanks,
Laura

Laura S. Sherman | Legislative Assistant | U.S. Senator Michael F. Bennet
261 Russell Senate Office Building | Washington, DC 20510 | 
Laura_Sherman@bennet.senate.gov

From: Lagda, Jeffrey [mailto:Lagda.Jeffrey@epa.gov]
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William; Hambleton, Ryan; Beaumont, Melissa; Bourke, Jaron; French, Courtney; Chang, Lena; susanne.grooms@mail.house.gov; rob.gordon@mail.house.gov; Conrad, Jessica; vedgerton@mail.house.gov; Black, Jonathan (Tom Udall); Hermann, Maya (Heinrich); Sherman, Laura (Bennet); Loraine, Jennifer (Gardner); Andrews, Mike (Indian Affairs); Ashley, Brandon (Indian Affairs); Tanner, John (Hatch); Hansen, Heath (Lee); Zimmerman, Melissa (Appropriations); Tomassi, Chris (Appropriations); Gray, Jason; Culp, Rita; Bolen, Brittany (EPW); Brown, Byron (EPW); Fox, Thomas (EPW); joseph.brazauskas@mail.house.gov; Pasternak, Doug; Spencer, Peter; Barblan, Jennifer; Lehman, Patrick (Sasse); Hixon, Christopher (HSGAC); Bradley, Robert (HSGAC)
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Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Lagda, Jeffrey
To: ["Gordon, Rob"](#)
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation
Date: Tuesday, October 11, 2016 1:33:00 PM

Thanks, Rob.

From: Gordon, Rob [mailto:Rob.Gordon@mail.house.gov]
Sent: Tuesday, October 11, 2016 1:32 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation

Thank you. I plan to attend.

From: Lagda, Jeffrey [mailto:Lagda.Jeffrey@epa.gov]
Sent: Tuesday, October 11, 2016 9:13 AM
To: McGrath, William; Hambleton, Ryan; Beaumont, Melissa; Bourke, Jaron; French, Courtney; Chang, Lena; Grooms, Susanne Sachsman; Gordon, Rob; Conrad, Jessica; Edgerton, Vic; Black, Jonathan (Tom Udall); Hermann, Maya (Heinrich); Sherman, Laura (Bennet); Loraine, Jennifer (Gardner); mike_andrews@indian.senate.gov; brandon_ashley@indian.senate.gov; john_tanner@hatch.senate.gov; heath_hansen@lee.senate.gov; Zimmerman, Melissa (Appropriations); chris_tomassi@appro.senate.gov; Gray, Jason; Culp, Rita; Bolen, Brittany (EPW); Brown, Byron (EPW); Fox, Thomas (EPW); Brazauskas, Joseph; Pasternak, Doug; Spencer, Peter; Barblan, Jennifer; patrick_lehman@sasse.senate.gov; christopher_hixon@hsgac.senate.gov; robert_bradley@hsgac.senate.gov
Cc: Sullivan, Patrick F.; Larsen, Alan; Kaplan, Jennifer
Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

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Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460

202-566-2584

Lagda.Jeffrey@epa.gov

From: [Locatelli, Emma \(Tom Udall\)](#)
To: [Lagda, Jeffrey](#)
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation
Date: Thursday, October 13, 2016 10:38:02 AM

Hi Jeff,

Thank you for getting back to me – I'll pass this on to Jonathan and others in the office.

Best,
Emma

From: Lagda, Jeffrey [mailto:Lagda.Jeffrey@epa.gov]
Sent: Wednesday, October 12, 2016 5:19 PM
To: Locatelli, Emma (Tom Udall) <Emma_Locatelli@tomudall.senate.gov>
Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation
Importance: High

Hi Emma:

My apologies for getting back to you so late. Here is a very brief summary:

The August 2015 Gold King Mine spill in Colorado resulted in approximately 3 million gallons of water containing heavy metals such as arsenic, cadmium, lead, and mercury to be released into a tributary to the Animas River.

After a year-long investigation, the U.S. Environmental Protection Agency (EPA) Office of Inspector General's (OIG's) Office of Investigations presented facts to the USAO about whether an EPA employee may have violated the following federal statutes: 1) Clean Water Act (33 U.S. Code 1319) and 2) False Statements (18 U.S. Code 1001).

On October 6, 2016, the U.S. Attorney's Office (USAO), District of Colorado declined to prosecute the EPA employee.

In lieu of criminal prosecution, the OIG will prepare a Report of Investigation (ROI) for submission to EPA's senior management for review. The EPA is required to report to the OIG any administrative action taken as a result of the ROI.

The OIG's Office of Program Evaluation (OPE) will return to completing its congressionally requested work on the Gold King Mine release. OPE announced its work in memoranda issued to EPA on [August 17, 2015](#) and [November 4, 2015](#). OPE's schedule for completing this project will be established after the ROI is issued.

Some of the questions asked:

What is the grade level of the EPA employee? (b) (6)

Is the civil aspect of the case still in play? (b) (5)

Is the employee still employed? (b) (6)

Was the employee placed on administrative leave? (b) (6)

If you have any additional questions, please let me know, Emily.

Take care,

Jeff

From: Locatelli, Emma (Tom Udall) [mailto:Emma_Locatelli@tomudall.senate.gov]

Sent: Wednesday, October 12, 2016 10:43 AM

To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>

Subject: RE: EPA OIG - Update on the OIG's Gold King Mine Investigation

Hi Jeff,

Unfortunately, no one in the office was able to call into the call – would you be able to send a summary of Patrick Sullivan discussed, or is there a recording I could listen to? We definitely want to stay updated on the situation. Thanks.

Best,
Emma

From: Lagda, Jeffrey [<mailto:Lagda.Jeffrey@epa.gov>]

Sent: Tuesday, October 11, 2016 9:20 AM

To: Locatelli, Emma (Tom Udall) <Emma_Locatelli@tomudall.senate.gov>

Cc: Black, Jonathan (Tom Udall) <Jonathan_Black@tomudall.senate.gov>

Subject: FW: EPA OIG - Update on the OIG's Gold King Mine Investigation

Importance: High

Hi Emma:

I received an out-of-office message from Jonathan regarding my email below.

Would you please forward it to the appropriate colleague on your staff?

Thanks,

Jeff

From: Lagda, Jeffrey

Sent: Tuesday, October 11, 2016 9:13 AM

To: McGrath, William <William.McGrath@mail.house.gov>; 'Hambleton, Ryan'

<Ryan.Hambleton@mail.house.gov>; Beaumont, Melissa <melissa.beaumont@mail.house.gov>;

Bourke, Jaron <Jaron.Bourke@mail.house.gov>; French, Courtney <Courtney.French@mail.house.gov>; 'Chang, Lena' <Lena.Chang@mail.house.gov>; 'susanne.grooms@mail.house.gov' <susanne.grooms@mail.house.gov>; 'rob.gordon@mail.house.gov' <rob.gordon@mail.house.gov>; 'Conrad, Jessica' <Jessica.Conrad@mail.house.gov>; 'vedgerton@mail.house.gov' <vedgerton@mail.house.gov>; 'Black, Jonathan (Tom Udall)' <Jonathan.Black@tomudall.senate.gov>; Hermann, Maya (Heinrich) <Maya_Hermann@heinrich.senate.gov>; 'Sherman, Laura (Bennet)' <Laura_Sherman@bennet.senate.gov>; 'Loraine, Jennifer (Gardner)' <Jennifer_Loraine@gardner.senate.gov>; 'mike_andrews@indian.senate.gov' <mike_andrews@indian.senate.gov>; 'brandon_ashley@indian.senate.gov' <brandon_ashley@indian.senate.gov>; 'john_tanner@hatch.senate.gov' <john_tanner@hatch.senate.gov>; 'heath_hansen@lee.senate.gov' <heath_hansen@lee.senate.gov>; 'Zimmerman, Melissa (Appropriations)' <Melissa_Zimmerman@appro.senate.gov>; 'chris_tomassi@appro.senate.gov' <chris_tomassi@appro.senate.gov>; 'Gray, Jason' <Jason.Gray@mail.house.gov>; 'Culp, Rita' <Rita.Culp@mail.house.gov>; 'Bolen, Brittany (EPW)' <Brittany_Bolen@epw.senate.gov>; 'Brown, Byron (EPW)' <Byron_Brown@epw.senate.gov>; 'Fox, Thomas (EPW)' <Thomas_Fox@epw.senate.gov>; 'joseph.brazauskas@mail.house.gov' <joseph.brazauskas@mail.house.gov>; 'Pasternak, Doug' <Doug.Pasternak@mail.house.gov>; 'Spencer, Peter' <Peter.Spencer@mail.house.gov>; 'Barblan, Jennifer' <Jennifer.Barblan@mail.house.gov>; 'patrick_lehman@sasse.senate.gov' <patrick_lehman@sasse.senate.gov>; 'christopher_hixon@hsgac.senate.gov' <christopher_hixon@hsgac.senate.gov>; 'robert_bradley@hsgac.senate.gov' <robert_bradley@hsgac.senate.gov>
Cc: Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>

Subject: EPA OIG - Update on the OIG's Gold King Mine Investigation

Importance: High

Everyone:

Good morning.

Patrick Sullivan, EPA Assistant Inspector General of Investigations, will be providing an update on the EPA OIG's Gold King Mine investigation **TODAY at 2:00pm ET via teleconference**. The briefing should last no longer than one hour.

To participate, please call (b) (6) ; **code –** (b) (6) .

If you plan to join today's teleconference, please RSVP me.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: [Zimmerman, Melissa \(Appropriations\)](#)
To: [Lagda, Jeffrey](#)
Subject: RE: EPA Torts Oversight?
Date: Wednesday, October 05, 2016 12:06:23 PM

Maybe I'll call Justice or Justice IG. Just to say I've asked all the relevant parties. I completely respect and don't want to interfere with the torts process, but we have Gina McCarthy claiming responsibility for the spill like a few days after but the legal finding is dragging. The outside world does not understand the legal nuance or independent process. That is our job to explain but after 14 months we just look like apologists. If what EPA is saying it indeed true, it would be nice to say that XYZ authority concurs or something along those lines about the process.

From: Lagda, Jeffrey [mailto:Lagda.Jeffrey@epa.gov]
Sent: Wednesday, October 05, 2016 12:00 PM
To: Zimmerman, Melissa (Appropriations)
Subject: RE: EPA Torts Oversight?

Sorry about that. It seems strange that no one has an answer.

From: Zimmerman, Melissa (Appropriations) [mailto:Melissa_Zimmerman@appro.senate.gov]
Sent: Wednesday, October 05, 2016 11:49 AM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: EPA Torts Oversight?

Thanks, I talked to Ed yesterday. Was trying just to see what your folks thought.

Melissa Zimmerman
Clerk, Legislative Branch Subcommittee
Professional Staff, Interior Subcommittee
Committee on Appropriations
United States Senate

(b) (6)

----- Original message -----

From: "Lagda, Jeffrey" <Lagda.Jeffrey@epa.gov>
Date: 10/5/16 11:41 AM (GMT-05:00)
To: "Zimmerman, Melissa (Appropriations)" <Melissa_Zimmerman@appro.senate.gov>
Subject: RE: EPA Torts Oversight?

Melissa:

Christina is going to put you in touch with Ed Walsh at the CFO. He should be able to assist.

Jeff

From: Zimmerman, Melissa (Appropriations) [mailto:Melissa_Zimmerman@appro.senate.gov]
Sent: Wednesday, October 05, 2016 11:38 AM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: EPA Torts Oversight?

Thanks much, but I talked to OCIR yesterday.

Melissa Zimmerman
Clerk, Legislative Branch Subcommittee
Professional Staff, Interior Subcommittee
Committee on Appropriations
United States Senate
(b) (6)

----- Original message -----

From: "Lagda, Jeffrey" <Lagda.Jeffrey@epa.gov>
Date: 10/5/16 11:09 AM (GMT-05:00)
To: "Zimmerman, Melissa (Appropriations)" <Melissa_Zimmerman@appro.senate.gov>
Subject: RE: EPA Torts Oversight?

Melissa:

Christina Moody, who works in EPA's OCIR, is going to call you about your logistical questions.

I hope this will be helpful!

Take care,

Jeff

From: Zimmerman, Melissa (Appropriations) [mailto:Melissa_Zimmerman@appro.senate.gov]
Sent: Tuesday, October 04, 2016 6:16 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Larsen, Alan <Larsen.Alan@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: RE: EPA Torts Oversight?

Fantastic, thank you!

From: Lagda, Jeffrey [<mailto:Lagda.Jeffrey@epa.gov>]
Sent: Tuesday, October 04, 2016 6:01 PM
To: Zimmerman, Melissa (Appropriations)
Cc: Larsen, Alan; Kaplan, Jennifer
Subject: RE: EPA Torts Oversight?

Hi Melissa:

I don't have an answer, but the OIG's General Counsel, Al Larsen, might be able to offer some insight. I will loop him and my supervisor, Jennifer Kaplan, in on this!

Jeff

From: Zimmerman, Melissa (Appropriations) [mailto:Melissa_Zimmerman@appro.senate.gov]
Sent: Tuesday, October 04, 2016 5:54 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: EPA Torts Oversight?

Hi Jeff,

We have many Members frustrated by the very long time it is taking for EPA to issue a finding of liability following the Gold King Mine spill. EPA tells me that the experts that will make an independent opinion on the tort finding does not report to the Administrator, and EPA cannot interfere with or influence the process. This makes sense to me. But, it's nearly 14 months after the spill and we have no liability finding, and no way at this point to question or hold the executive branch accountable on the process.

Do you know who this person – the Claims Officer – might report to? To be clear, we are NOT trying to influence the decision. We just want to understand why this is taking so long and if it is in a reasonable scope of timing, or reasonable justification, based on federal best practices. At this point, we have to just keep telling constituents “not yet,” but that answer is getting kind of silly after all this time.

Do you have any insight on what we can do in this situation?

Thank you!
Melissa

Melissa Zimmerman
Clerk, Subcommittee on the Legislative Branch
Professional Staff, Subcommittee on Interior & Environment
Committee on Appropriations
United States Senate
(b) (6)

From: [Hermann, Maya \(Heinrich\)](#)
To: [Lagda, Jeffrey](#)
Subject: Re: Teleconference
Date: Tuesday, October 11, 2016 5:48:42 PM

You too!

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 5:48 PM
To: Hermann, Maya (Heinrich)
Subject: RE: Teleconference

Thanks for solving that, Maya.

Have a good evening,

Jeff

From: Hermann, Maya (Heinrich) [mailto:Maya_Hermann@heinrich.senate.gov]
Sent: Tuesday, October 11, 2016 5:47 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: Re: Teleconference

Yes, Jim Dumont. He's our staffer in Farmington.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 5:45 PM
To: Hermann, Maya (Heinrich)
Subject: RE: Teleconference

Thanks, Maya. Was there a "Jim" also from your office?

From: Hermann, Maya (Heinrich) [mailto:Maya_Hermann@heinrich.senate.gov]
Sent: Tuesday, October 11, 2016 5:44 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: Re: Teleconference

(b) (6) a fellow with the office.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 5:42 PM
To: Hermann, Maya (Heinrich)
Subject: Teleconference

Hi Maya:

One of your colleagues participated in the teleconference today on the OIG's update on its work related to the Gold King Mine spill, but I did not get her full name.

I believe her first name was (b) (6)

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

Purpose/Scope: On October 11 at 2 pm, the OIG informed various members of the Hill on the declination of the case the OIG brought to the AUSA against an EPA employee for a Clean Water Act violation and a charge of making false statements to the OIG, and on the status of OPE work pursuant to congressional requests to evaluate the Gold King Mine release.

Sources: Patrick Sullivan, AIGI, OIG, and Carolyn Copper, AIGOPE

Attendees:

Patrick Sullivan, AIGI, OIG

Jeff Lagda, OCPA, OIG

(b) (6), DAIGI, OIG

(b) (6), DAIGI, OIG

Carolyn Copper, AIGOPE, by phone

Tina Lovingood, Director, LCWM, OPE

Hill members (provided by Jeff Lagda on 10/20/16):

House Committee on Natural Resources

- Rob Gordon (majority)
- Steve Feldgus (minority)

HOGR/Rep. Lummis/Rep. Buck

- Bill McGrath, Ryan Hambleton, Melissa Beaumont (majority)
- Susanne Grooms, Jaron Bourke, Courtney French (minority)

Senate Indian Affairs

- Brandon Ashley (majority)

House Energy and Commerce

- Jennifer Barblan (minority)

House Science

- Doug Pasternak (minority)

Senate EPW

- Susan Bodine, Byron Brown, Brittany Bolen (majority)
- Tom Fox (minority)

Senator Heinrich

- Maya Hermann, Jim Dumont, (b) (6)

Senator Bennet

- Laura Sherman

Senator Gardner

- Curtis Swager

Senator McCain

- Austin Kennedy

Summary:

Pat Sullivan explained some background on the interviews conducted and that some interviewees were given a Kalkines warning. Pat also explained the difference between a Kalkines – which tells the employee that they must answer questions and while the answers could be used in administrative proceedings they cannot be used in criminal proceedings unless they provide a false statement - and Garrity warning - which asks the employee to answer questions but that the answers can be used in either administrative or criminal proceedings). Pat updated attendees on the status of the investigation and that the OIG had referred a case the OIG brought to the AUSA against an EPA employee for a Clean Water Act violation (1319) and a charge of making false statements to the OIG, and that on 10/6/16, the AUSA officially declined to prosecute the individual. The OIG will prepare the report of investigation (ROI) that will be published to the Agency in 4 weeks and will refer the matter to EPA's senior management for administrative action. The 10/6/16 declination is not a public record. The ROI will become the basis for an administrative action and may not be releasable.

Carolyn Copper explained that the OIG had also received requests from the Hill to look into the cause and response to the spill and also asked the OIG to address a number of other issues. OPE suspended its work and will be meeting to consider next steps and that we would provide a timeline for any of our work once the ROI is completed.

Pat opened up the meeting to questions. (Where the person identified themselves and I caught it, I noted the person asking the question.

One of the Hill staff asked about the GS level of the relevant employee was. (b) researched and reported (b) was (b) (6).

Susanne asked about why a Kalkines and not a Garrity warning was issued. (Missed notes on this. LM for (b) .) Pat stated that the employee had Union representation at the interview and the Kalkines warning was requested through the representative for the employee.

Rob Gordon asked about the CWA violation. Pat stated the portion of the Act had to do with the person negligently or knowingly intending to cause pollution in a waterway. OI worked with CID on the investigation as CID typically works environmental issues.

Susan asked with the case against the individual whether (b) (5) "still in play". Pat responded that OI had discussed the possibility (b) (5)

One of the Hill staff asked if the employee still worked for EPA. Pat responded (b) (6).

Byron asked what factors are considered for gross negligence. Pat responded that digging not done appropriately or protocols or safety procedures not employed or thought they should be employed and weren't.

Ron asked what will happen to the employee and Pat responded that he could not comment and that the employee was entitled to due process/procedure.

Byron asked about whether or not the OIG investigated the allegation that the EPA officials interfered with the investigation when the Region 8 (b) (6) staff interviewed (b) (6) because (b) might have been coached. Pat responded that he did not believe so but that he would check with his staff and get back to them.

Byron asked about the witness lying to the investigators. Pat explained that the employee made false statements. In the 3 interviews the investigators had with the employee, the employee told different variations/different stories. The stories were not consistent.

Byron asked about whether the OIG found any issues with the contractor. Pat responded that no issues were found during the interviews.

Lovinggood, Christina

From: Lagda, Jeffrey
Sent: Thursday, October 20, 2016 8:53 AM
To: Lovinggood, Christina
Subject: RE: Conference Call
Attachments: Gold King Mine Teleconference at 2pm on October 11.docx

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hi Tina:

I have attached the list for you!

Have a good Thursday,

Jeff

From: Lovinggood, Christina
Sent: Thursday, October 13, 2016 2:32 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: Conference Call

No sweat or rush. I'm just curious to see if anyone besides our invited Congressional staff attended.
t

From: Lagda, Jeffrey
Sent: Thursday, October 13, 2016 2:07 PM
To: Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Subject: RE: Conference Call

Tina:

Sorry...I haven't had a chance to call. Will get to it this afternoon. As you probably know, I am swamped with calls from congress and the media due to yesterday's update. (b) (6).

Jeff

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 10:49 AM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: Conference Call

Hi Jeff! Were you able to get the numbers?
t

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 5:19 PM
To: Lovingood, Christina <Lovingood.Tina@epa.gov>
Subject: Conference Call

Hi Tina:

You mentioned that there is a way to retrieve the phone numbers associated with the conference. I tried calling the phone number, but that option did not appear to be provided.

Do you have any idea who I should call to get this information?

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

Lovinggood, Christina

From: (b) (6)
Sent: Monday, October 31, 2016 12:18 PM
To: Lovinggood, Christina
Cc: Sullivan, Patrick F.; (b) (6); (b) (6)
Subject: 10-11-16 Meeting with Hill staff on status of work.docx
Attachments: 10-11-16 Meeting with Hill staff on status of work.docx

Tina,

Per your request, I have edited your document and changed (b) (6) title to DAIGI (there are two DAIGI's in Office of Investigations) and provided a response to your question. I hope this helps.

(b)
(6)

Gold King Mine Teleconference at 2pm on October 11, 2016

House Committee on Natural Resources

- Rob Gordon (majority)
- Steve Feldgus (minority)

HOCR/Rep. Lummis/Rep. Buck

- Bill McGrath, Ryan Hambleton, Melissa Beaumont (majority)
- Susanne Grooms, Jaron Bourke, Courtney French (minority)

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- Brandon Ashley (majority)

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House Science

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- Tom Fox (minority)

Senator Heinrich

- Maya Hermann, Jim Dumont, (b) (6)

Senator Bennet

- Laura Sherman

Senator Gardner

- Curtis Swager

Senator McCain

- Austin Kennedy



Office of Inspector General

Administration Workpaper

Prepared by Tina Lovingood 11/04/2016

Assignment: 2015 - 4921 - OPE-FY15-0059 - Gold King Mine Release

Area: 5562

Goal: Superfund

Type: PERFORMANCE/PROGRAM Subtype: Not Used

Assignment Period: through ; 08/17/2015 through 10/08/2016

Section: A004g

Assignment Guide Name: Administrative

Origination Doclink: 

Subject: 10-11-16 Meeting with Hill Staff Re Declination

Subsection:

Created by C. Lovingood, Director, Office Land Cleanup and Waste Management, OPE, OIG

Reviewed and approved by: C El-Zoghbi 11/4/16

Reviewed by: C. Kincheloe 11/4/16

Purpose/Scope: On October 11 at 2 pm, the OIG informed various members of the Hill on the declination of the case the OIG brought to the AUSA against an EPA employee for a Clean Water Act violation and a charge of making false statements to the OIG, and on the status of OPE work pursuant to congressional requests to evaluate the Gold King Mine release.

Sources: Patrick Sullivan, AIGI, OIG, and Carolyn Copper, AIGOPE

Attendees:

Patrick Sullivan, AIGI, OIG

Jeff Lagda, OCPA, OIG

(b) (6), DAIGI, OIG

(b) (6), DAIGI, OIG

Carolyn Copper, AIGOPE, by phone

Tina Lovingood, Director, LCWM, OPE

Hill members (provided by Jeff Lagda on 10/20/16):



10-20-16 Email on Phone list Hill staff meeting attendees.pdf



Gold King Mine Teleconference at 2pm on October 11.docx

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Senate Indian Affairs

- Brandon Ashley (majority)

House Energy and Commerce

- Jennifer Barblan (minority)

House Science

- Doug Pasternak (minority)

Senate EPW

- Susan Bodine, Byron Brown, Brittany Bolen (majority)
- Tom Fox (minority)

Senator Heinrich

- Maya Hermann, Jim Dumont, (b) (6)

Senator Bennet

- Laura Sherman

Senator Gardner

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Senator McCain

- Austin Kennedy

Summary:

Pat Sullivan explained some background on the interviews conducted and that some interviewees were given a Kalkines warning. Pat also explained the difference between a Kalkines - which tells the employee that they must answer questions and while the answers could be used in administrative proceedings they cannot be used in criminal proceedings unless they provide a false statement - and Garrity warning - which asks the employee to answer questions but that the answers can be used in either administrative or criminal proceedings). Pat updated attendees on the status of the investigation and that the OIG had referred a case the OIG brought to the AUSA against an EPA employee for a Clean Water Act violation (1319) and a charge of making false statements to the OIG, and that on 10/6/16, the AUSA officially declined to prosecute the individual. The OIG will prepare the report of investigation (ROI) that will be published to the Agency in 4 weeks and will refer the matter to EPA's senior management for administrative action. The 10/6/16 declination is not a public record. The ROI will become the basis for an administrative action and may not be releasable.

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Susanne asked about why a Kalkines and not a Garrity warning was issued. Pat stated that the employee had Union representation at the interview and the Kalkines warning was requested

through the representative for the employee.



10-31-16 (b) email on clarification to 10-11-16 meeting writeup.pdf



10-11-16 Meeting with Hill staff on status of work (b) addition.docx

Rob Gordon asked about the CWA violation. Pat stated the portion of the Act had to do with the person negligently or knowingly intending to cause pollution in a waterway. OI worked with CID on the investigation as CID typically works environmental issues.

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One of the Hill staff asked if the employee still worked for EPA. Pat responded (b) (6)

Byron asked what factors are considered for gross negligence. Pat responded that digging not done appropriately or protocols or safety procedures not employed or thought they should be employed and weren't.

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Status: In Review Process

Send To: Christine El-Zoghbi/OIG/USEPA/US

Current Editor List: Christine El-Zoghbi/OIG/USEPA/US

Level 1 approval: Approved

Chad Kincheloe

11/04/2016 09:21:20 AM

Level 2 approval:

History

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:35 AM
To: Levine, Scott
Subject: FW: Statutes

FOIA REQUEST EPA-HQ-2017-000406

From: (b) (6)
Sent: Friday, October 07, 2016 11:07 AM
To: Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Subject: Re: Statutes

Hi Tina,

I am in the RA's office. I will reach out to you this afternoon.

(b) (6)

US EPA OIG Office of Investigations

(b) (6)

On Oct 7, 2016, at 9:01 AM, Lovinggood, Christina <Lovinggood.Tina@epa.gov> wrote:

(b) (6), I just received word. When you get a chance could you call me about the ROI at (b) (6) (gov cell today before 11 or between 2:30-4:30 eastern) or 202-566-2906. I'd like to speak with you before my team meets with Carolyn on Wed at 2 pm eastern.

Thanks,

t

Tina Lovinggood

Director, Land Cleanup and Waste Management Program Evaluations

Office of Program Evaluation
Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

From: Sullivan, Patrick F.
Sent: Friday, October 07, 2016 10:40 AM
To: Sheehan, Charles <Sheehan.Charles@epa.gov>
Cc: Larsen, Alan <Larsen.Alan@epa.gov>; Elkins, Arthur <Elkins.Arthur@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>
Subject: Re: Statutes

Great questions, Chuck.

OPE can move forward.

I have been keeping Kevin Minoli in the loop.

I will call him to let him know DOJ has declined and that we will be submitting an ROI for possible administrative action by the Agency.

Patrick F. Sullivan

Assistant Inspector General for Investigations
EPA Office of Inspector General
Desk: (202) 566-0308
Cell: (b) (6)
Email: sullivan.patrick@epa.gov

From: Sheehan, Charles
Sent: Friday, October 7, 2016 10:35:35 AM
To: Sullivan, Patrick F.
Cc: Larsen, Alan; Elkins, Arthur; Hanger, Eric; Charen, Susan; Copper, Carolyn; El-Zoghbi, Christine; (b) (6); (b) (6); (b) (6)

(b) (6); Lovingood, Christina

Subject: RE: Statutes

Thanks for the word on the closure of this phase, Pat.

Is there any reason for OPE not having a green light to now continue on with its work?

Should the Agency be told of DOJ's decision?

Chuck

From: Sullivan, Patrick F.

Sent: Friday, October 07, 2016 10:31 AM

To: Sheehan, Charles <Sheehan.Charles@epa.gov>

Cc: Larsen, Alan <Larsen.Alan@epa.gov>; Elkins, Arthur <Elkins.Arthur@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>

Subject: Fw: Statutes

Chuck,

Yesterday, (b) (6) had a meeting with the U.S. Attorney's Office (USAO), District of Colorado, in Denver. Both Criminal and Civil Division AUSAs attended.

The USAO declined prosecution of the subject EPA employee for criminal and civil violations.

(b) (6) is now completing the ROI which will be presented to the Agency for potential administrative action. I estimate (b) (6) will have the ROI submitted to OC for review within four weeks.

Patrick F. Sullivan

Assistant Inspector General for Investigations

EPA Office of Inspector General

Desk: (202) 566-0308

Cell: (b) (6)

Email: sullivan.patrick@epa.gov

From: (b) (6)
Sent: Thursday, October 6, 2016 4:38 PM
To: Sullivan, Patrick F.; (b) (6); (b) (6)
Subject: Statutes

This morning I presented the GKM case for potential criminal prosecution, as well as potential civil litigation. Both were declined.

Criminal violations to be considered:

18 U.S.C. § 1001: False Statements

33 U.S.C. § 1319: Direct Discharge (to Waters of the U.S. including Wetlands)

Thank you, gentlemen, for your time this afternoon.

(b) (6)

United States Environmental Protection Agency
Office of Inspector General
Office of Investigations

(b) (6)

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:40 AM
To: Levine, Scott
Subject: FW: Several Congressional Committees - OIG Update on the Gold King Mine Spill Investigation

[FOIA REQUEST EPA-HQ-2017-000406](#)

From: Copper, Carolyn
Sent: Tuesday, October 11, 2016 11:24 AM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>; Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>
Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Subject: RE: Several Congressional Committees - OIG Update on the Gold King Mine Spill Investigation

Thanks Jeff. I'll be calling in.

-----Original Appointment-----

From: Lagda, Jeffrey
Sent: Tuesday, October 11, 2016 11:22 AM
To: Sullivan, Patrick F.; (b) (6); (b) (6); (b) (6)
Cc: Copper, Carolyn; El-Zoghbi, Christine; Lovinggood, Christina; Hanger, Eric; Charen, Susan
Subject: Several Congressional Committees - OIG Update on the Gold King Mine Spill Investigation
When: Tuesday, October 11, 2016 2:00 PM-3:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: OI Conference Room
Importance: High

This is a teleconference to provide an update on the OIG's update on the Gold King Mine spill investigation. Patrick Sullivan will be briefing the Hill staff.

For those participating remotely, please call (b) (6); code – (b) (6).

For HQ folks, this call will take place in the OI conference room.

Lovinggood, Christina

Subject: Several Congressional Committees - OIG Update on the Gold King Mine Spill Investigation
Location: OI Conference Room

Start: Tue 10/11/2016 2:00 PM
End: Tue 10/11/2016 3:00 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Lagda, Jeffrey
Required Attendees: Sullivan, Patrick F.; (b) (6); (b) (6); (b) (6)
Optional Attendees: Copper, Carolyn; El-Zoghbi, Christine; Lovinggood, Christina; Hanger, Eric; Charen, Susan

Importance: High

This is a teleconference to provide an update on the OIG's update on the Gold King Mine spill investigation. Patrick Sullivan will be briefing the Hill staff.

For those participating remotely, please call (b) (6); code – (b) (6).

For HQ folks, this call will take place in the OI conference room.

Gold King Mine Press Statement

On October 6, 2016, the U.S. Attorney's Office (USAO) declined to prosecute the EPA Office of Inspector General's (OIG's) case involving EPA's role in the August 2015 Gold King Mine spill in Colorado. This incident resulted in approximately 3 million gallons of water containing heavy metals such as arsenic, cadmium, lead, and mercury to be released into a tributary to the Animas River.

(b) (5)

Commented [LJ1]: (b) (5)

From: Kincheloe, Chad
To: [Rowden, Naomi](#)
Cc: [Parker, Barry](#)
Subject: FW: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation
Date: Thursday, October 13, 2016 11:55:00 AM
Attachments: [10-12-16 Notification to EPA re Unsuspending Program Evaluation Work.pdf](#)

Naomi, can you add to wps thanks

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 11:26 AM
To: Brown, Casey <BrownC@gao.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>
Subject: RE: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation

Dear Casey, I hope you are well! Please see attached for an update on our work on the Gold King Mine spill. It might be good for us to connect again soon to coordinate on the status of your/our work (b) (5) but since I also don't know the status of your work, I welcome any feedback you have on the timing of such a conversation.
Thanks,
t

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation
Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

From: Brown, Casey [<mailto:BrownC@gao.gov>]
Sent: Monday, August 01, 2016 9:47 AM
To: Lovingood, Christina <Lovingood.Tina@epa.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>
Subject: RE: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation

Thanks Tina!

From: Lovingood, Christina [<mailto:Lovingood.Tina@epa.gov>]
Sent: Monday, August 01, 2016 7:38 AM
To: Brown, Casey
Cc: Kincheloe, Chad
Subject: FW: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation

Dear Casey, Fyi in case you did not receive this.

t

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation, Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

From: EPA OIG [<mailto:oig.news@epa.gov>]
Sent: Friday, July 29, 2016 5:55 PM
To: EPA OIG-News Notification List <oig-news@lists.epa.gov>
Subject: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation

[US EPA, Office of Inspector General](#)



NEWS RELEASE

EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation (<http://go.usa.gov/xg5nk>)
July 29, 2016

Due to high public interest in the Gold King Mine release of water containing heavy metals into a tributary to the Animas River in August 2015, the U.S. Environmental Protection Agency Office of Inspector General (OIG) today posted to its website letters recently sent to congressional members regarding the status of the OIG's related work.

U.S. EPA Office of Inspector General
1200 Pennsylvania Avenue, NW (2410T)
Washington, DC 20460
www.epa.gov/oig

File a [Hotline Complaint](#) of Fraud, Waste or Abuse in an EPA Program
Subscribe to our [Email Updates](#)
Follow [@EPAoig](#) on Twitter

[Unsubscribe](#)

From: [Lovingood, Christina](#)
To: [Thornton, Kecia](#); [Anthofer, Wayne](#)
Cc: [Kincheloe, Chad](#); [Gilbride, Patrick](#)
Subject: FW: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 2:15:34 PM
Importance: High

Dear Kecia and Wayne, Things are quickly happening, but I wanted to make sure that you received communication about all of the below. In particular, as it pertains to the Land Cleanup and Waste Management Program Evaluations group's work, please see the highlighted text. If you have any questions, please don't hesitate to contact me at the number below, or Chad Kincheloe, Project Manager, at 312-886-6530.

Thanks,
Tina

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation
Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: Gold King Mine Spill - EPA OIG Update
Importance: High

Everyone:

The EPA's Office of Inspector General would like to provide the following update on its work related to the Gold King Mine spill:

The August 2015 Gold King Mine release in Colorado resulted in approximately 3 million gallons of water containing heavy metals such as arsenic, cadmium, lead, and mercury to be released into a tributary to the Animas River.

After a year-long investigation, the U.S. Environmental Protection Agency (EPA) Office of Inspector General's (OIG's) Office of Investigations presented facts to the U.S. Attorney's Office (USAO), District of Colorado about whether an EPA employee may have violated the following federal statutes: 1) Clean Water Act (33 U.S. Code 1319) and 2) False Statements (18 U.S. Code 1001).

On October 6, 2016, the USAO declined to prosecute the EPA employee.

In lieu of criminal prosecution, the OIG will prepare a Report of Investigation (ROI) for submission to EPA's senior management for review. The EPA is required to report to the OIG any administrative action taken as a result of the ROI.

The OIG's Office of Program Evaluation (OPE) will return to completing its congressionally requested work on the Gold King Mine release. OPE announced its work in memoranda issued to EPA on [August 17, 2015](#) and [November 4, 2015](#). OPE's schedule for completing this project will be established after the ROI is closed.

If you have any additional questions, contact me. However, please note that I will be unable to offer specifics of the investigation at this time.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Kincheloe, Chad
To: [Rowden, Naomi](#)
Cc: [Parker, Barry](#)
Subject: FW: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 2:17:00 PM

Naomi, can you add this to the wps thanks

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 2:16 PM
To: Thornton, Kecia <Thornton.Kecia@epa.gov>; Anthofer, Wayne <Anthofer.Wayne@epa.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

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Thanks,
Tina

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Office of Program Evaluation
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CPA (VA), CIA, CEA, MBA
202-566-2906

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: Gold King Mine Spill - EPA OIG Update
Importance: High

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Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: [Lovingood, Christina](#)
To: [Hageman, James](#)
Cc: [Anthofer, Wayne](#); [Thornton, Kecia](#); [Kincheloe, Chad](#); [Gilbride, Patrick](#)
Subject: FW: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 2:43:43 PM
Importance: High

Dear Jim, I just learned that my AFC list is outdated and you were the appropriate contact for the below. Please accept my apologies.

Tina

Tina Lovingood

Director, Land Cleanup and Waste Management Program Evaluations

Office of Program Evaluation

Office of Inspector General

CPA (VA), CIA, CEA, MBA

202-566-2906

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 3:16 PM
To: Thornton, Kecia <Thornton.Kecia@epa.gov>; Anthofer, Wayne <Anthofer.Wayne@epa.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

Dear Kecia and Wayne, Things are quickly happening, but I wanted to make sure that you received communication about all of the below. In particular, as it pertains to the Land Cleanup and Waste Management Program Evaluations group's work, please see the highlighted text. If you have any questions, please don't hesitate to contact me at the number below, or Chad Kincheloe, Project Manager, at 312-886-6530.

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CPA (VA), CIA, CEA, MBA

202-566-2906

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>

Subject: Gold King Mine Spill - EPA OIG Update

Importance: High

Everyone:

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Thanks,

Jeff

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Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Kincheloe, Chad
To: [Steve Hanna](#); [Holthaus, Randy](#)
Subject: FW: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 2:47:00 PM
Importance: High

FYI...see press release below. Thanks

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 2:16 PM
To: Thornton, Kecia <Thornton.Kecia@epa.gov>; Anthofer, Wayne <Anthofer.Wayne@epa.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

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U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Kincheloe, Chad
To: [Rowden, Naomi](#)
Subject: FW: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 3:13:00 PM
Importance: High

fyi

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 2:44 PM
To: Hageman, James <hageman.james@epa.gov>
Cc: Anthofer, Wayne <Anthofer.Wayne@epa.gov>; Thornton, Kecia <Thornton.Kecia@epa.gov>; Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

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Director, Land Cleanup and Waste Management Program Evaluations

Office of Program Evaluation

Office of Inspector General

CPA (VA), CIA, CEA, MBA

202-566-2906

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Sent: Thursday, October 13, 2016 3:16 PM
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Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
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Director, Land Cleanup and Waste Management Program Evaluations

Office of Program Evaluation

Office of Inspector General

CPA (VA), CIA, CEA, MBA

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Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
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Importance: High

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Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Kincheloe, Chad
To: [Parker, Barry](#)
Cc: [Rowden, Naomi](#)
Subject: FW: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 11:53:00 AM
Importance: High

Barry, can you add to the wps. thanks

From: Copper, Carolyn
Sent: Wednesday, October 12, 2016 5:08 PM
To: Lovingood, Christina <Lovingood.Tina@epa.gov>; Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Parker, Barry <Parker.Barry@epa.gov>; Rowden, Naomi <Rowden.Naomi@epa.gov>
Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

Hi All – FYI. I believe the EPA names (except Jennifer) showing on the cc list are in the Agency's public affairs office.

Tina – suggest you or Chad follow-up with Jeff to be sure we know who has received this notice.

Thanks!

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
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Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Kincheloe, Chad
To: [Parker, Barry](#)
Cc: [Rowden, Naomi](#)
Subject: FW: I just unsuspended the GKM assignment in IGEMS. You may now charge to it. eom t
Date: Thursday, October 13, 2016 11:54:00 AM

Can you add this as well

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 10:21 AM
To: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Parker, Barry <Parker.Barry@epa.gov>; Rowden, Naomi <Rowden.Naomi@epa.gov>
Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>
Subject: I just unsuspended the GKM assignment in IGEMS. You may now charge to it. eom t

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation
Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:50 AM
To: Levine, Scott
Subject: FW: GKM article

[FOIA REQUEST EPA-HQ-2017-000406](#)

From: Holthaus, Randy
Sent: Thursday, October 13, 2016 10:39 AM
To: Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Cc: Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: GKM article

2 — Feds will not prosecute EPA official linked to Gold King Mine disaster, Denver Post, 10/12/2016

<http://www.denverpost.com/2016/10/12/gold-king-mine-epa-employee-will-not-prosecute/>

The U.S. Attorney in Denver will not prosecute an Environmental Protection Agency employee involved in the Gold King Mine disaster, leaving it to the agency to determine administrative action against the employee.

Randy P. Holthaus

Project Manager
Efficiency Audits
Office of Audit
EPA Office of Inspector General
Dallas, TX
phone: 214-665-6620

EPA OIG HOTLINE: <http://www.epa.gov/oig/hotline.html>
Toll-Free: 1-888-546-8740 (Nationwide)

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:51 AM
To: Levine, Scott
Subject: FW: Gold King Mine Spill - EPA OIG Update

FOIA REQUEST EPA-HQ-2017-000406

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 12:24 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update

Jeff,

Per Carolyn's email below,
Can you tell me who in EPA (with titles if available) the EPA OIG update went to? Thanks

From: Copper, Carolyn
Sent: Wednesday, October 12, 2016 5:08 PM
To: Lovinggood, Christina <Lovinggood.Tina@epa.gov>; Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Parker, Barry <Parker.Barry@epa.gov>; Rowden, Naomi <Rowden.Naomi@epa.gov>
Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

Hi All – FYI. I believe the EPA names (except Jennifer) showing on the cc list are in the Agency's public affairs office.

Tina – suggest you or Chad follow-up with Jeff to be sure we know who has received this notice.

Thanks!

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM

To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>

Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>

Subject: Gold King Mine Spill - EPA OIG Update

Importance: High

Everyone:

The EPA's Office of Inspector General would like to provide the following update on its work related to the Gold King Mine spill:

The August 2015 Gold King Mine release in Colorado resulted in approximately 3 million gallons of water containing heavy metals such as arsenic, cadmium, lead, and mercury to be released into a tributary to the Animas River.

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In lieu of criminal prosecution, the OIG will prepare a Report of Investigation (ROI) for submission to EPA's senior management for review. The EPA is required to report to the OIG any administrative action taken as a result of the ROI.

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If you have any additional questions, contact me. However, please note that I will be unable to offer specifics of the investigation at this time.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:52 AM
To: Levine, Scott
Subject: FW: Gold King Mine Spill - EPA OIG Update

[FOIA REQUEST EPA-HQ-2017-000406](#)

From: Gilbride, Patrick
Sent: Thursday, October 13, 2016 3:20 PM
To: Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Subject: RE: Gold King Mine Spill - EPA OIG Update

Hi Tina – Not sure if this should go to the R8 AFC but his name is James Hageman. Wayne is no longer the AFC.

Patrick Gilbride
Director, Science, Research, and Management Integrity
U.S. Environmental Protection Agency
Office of Inspector General
1595 Wynkoop St.
Denver, CO 80202

From: Lovinggood, Christina
Sent: Thursday, October 13, 2016 1:16 PM
To: Thornton, Kecia <Thornton.Kecia@epa.gov>; Anthofer, Wayne <Anthofer.Wayne@epa.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

Dear Kecia and Wayne, Things are quickly happening, but I wanted to make sure that you received communication about all of the below. In particular, as it pertains to the Land Cleanup and Waste Management Program Evaluations group's work, please see the highlighted text. If you have any questions, please don't hesitate to contact me at the number below, or Chad Kincheloe, Project Manager, at 312-886-6530.

Thanks,
Tina

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation
Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: Gold King Mine Spill - EPA OIG Update
Importance: High

Everyone:

The EPA's Office of Inspector General would like to provide the following update on its work related to the Gold King Mine spill:

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If you have any additional questions, contact me. However, please note that I will be unable to offer specifics of the investigation at this time.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:53 AM
To: Levine, Scott
Subject: FW: Gold King Mine Spill - EPA OIG Update

FOIA REQUEST EPA-HQ-2017-000406

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 4:38 PM
To: Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Subject: RE: Gold King Mine Spill - EPA OIG Update

Tina, I'm going to forward this to Steve in R9 and Randy in R6 as well so they are aware as reginal POCs. I will cc you

Also, Wayne is not the R8 audit follow-up coordinator any more. It looks like it is Jim Hageman according to the Sept 20, 2016 OIG report recipients list. Can you forward it to him? Thanks

From: Lovinggood, Christina
Sent: Thursday, October 13, 2016 2:16 PM
To: Thornton, Kecia <Thornton.Kecia@epa.gov>; Anthofer, Wayne <Anthofer.Wayne@epa.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

Dear Kecia and Wayne, Things are quickly happening, but I wanted to make sure that you received communication about all of the below. In particular, as it pertains to the Land Cleanup and Waste Management Program Evaluations group's work, please see the highlighted text. If you have any questions, please don't hesitate to contact me at the number below, or Chad Kincheloe, Project Manager, at 312-886-6530.

Thanks,
Tina

Tina Lovinggood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: Gold King Mine Spill - EPA OIG Update
Importance: High

Everyone:

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If you have any additional questions, contact me. However, please note that I will be unable to offer specifics of the investigation at this time.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:53 AM
To: Levine, Scott
Subject: FW: Gold King Mine Spill - EPA OIG Update

FOIA REQUEST EPA-HQ-2017-000406

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 4:41 PM
To: Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Subject: RE: Gold King Mine Spill - EPA OIG Update

Sorry Tina, I had this email drafted then we talked on the phone, and we have taken care of this. I accidentally hit the send button.

I sent the updates to Steve and Randy and you sent another email to Jim. No further action needed. Thanks

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 3:38 PM
To: Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Subject: RE: Gold King Mine Spill - EPA OIG Update

Tina, I'm going to forward this to Steve in R9 and Randy in R6 as well so they are aware as reginal POCs. I will cc you

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From: Lovinggood, Christina
Sent: Thursday, October 13, 2016 2:16 PM
To: Thornton, Kacia <Thornton.Kacia@epa.gov>; Anthofer, Wayne <Anthofer.Wayne@epa.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

Dear Kecia and Wayne, Things are quickly happening, but I wanted to make sure that you received communication about all of the below. In particular, as it pertains to the Land Cleanup and Waste Management Program Evaluations group's work, please see the highlighted text. If you have any questions, please don't hesitate to contact me at the number below, or Chad Kincheloe, Project Manager, at 312-886-6530.

Thanks,
Tina

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation
Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: Gold King Mine Spill - EPA OIG Update
Importance: High

Everyone:

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If you have any additional questions, contact me. However, please note that I will be unable to offer specifics of the investigation at this time.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:54 AM
To: Levine, Scott
Subject: FW: Gold King Mine Spill - EPA OIG Update

FOIA REQUEST EPA-HQ-2017-000406

From: Hageman, James
Sent: Thursday, October 13, 2016 5:52 PM
To: Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Subject: RE: Gold King Mine Spill - EPA OIG Update

No problems at all Ma'am!

Very Respectfully,

Jim

James A. Hageman
Director – Grants, Audit and Procurement Office, Office of Technical and Management Services
USEPA Region 8 | 1595 Wynkoop St (8TMS-G) | Denver, CO 80202-1129
Office: (303) 312-6005
Cell: (b) (6)
Email: Hageman.james@epa.gov

From: Lovinggood, Christina
Sent: Thursday, October 13, 2016 1:44 PM
To: Hageman, James <hageman.james@epa.gov>
Cc: Anthofer, Wayne <Anthofer.Wayne@epa.gov>; Thornton, Kecia <Thornton.Kecia@epa.gov>; Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

Dear Jim, I just learned that my AFC list is outdated and you were the appropriate contact for the below. Please accept my apologies.

Tina

Tina Lovingood

Director, Land Cleanup and Waste Management Program Evaluations

Office of Program Evaluation

Office of Inspector General

CPA (VA), CIA, CEA, MBA

202-566-2906

From: Lovingood, Christina

Sent: Thursday, October 13, 2016 3:16 PM

To: Thornton, Kecia <Thornton.Kecia@epa.gov>; Anthofer, Wayne <Anthofer.Wayne@epa.gov>

Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>

Subject: FW: Gold King Mine Spill - EPA OIG Update

Importance: High

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Tina

Tina Lovingood

Director, Land Cleanup and Waste Management Program Evaluations

Office of Program Evaluation

Office of Inspector General

CPA (VA), CIA, CEA, MBA

202-566-2906

From: Lagda, Jeffrey

Sent: Wednesday, October 12, 2016 6:03 PM

To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>

Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>

Subject: Gold King Mine Spill - EPA OIG Update

Importance: High

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Jeff

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U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:45 AM
To: Levine, Scott
Subject: FW: Informal Statement on GKM to Press [ACTION REQUIRED]
Attachments: CC-Gold King Mine Press Statement.docx

FOIA REQUEST EPA-HQ-2017-000406

From: Copper, Carolyn
Sent: Wednesday, October 12, 2016 3:14 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Subject: RE: Informal Statement on GKM to Press [ACTION REQUIRED]

Jeff – Please see attached, track changes, for OPE input. The two dates I added are hyperlinked to our two Agency notification memos.

Please let me know if you need anything else. Thanks ~ Carolyn

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 3:02 PM
To: Copper, Carolyn <Copper.Carolyn@epa.gov>; Lovinggood, Christina <Lovinggood.Tina@epa.gov>; (b) (6) <(b) (6)@epa.gov>
Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>
Subject: RE: Informal Statement on GKM to Press [ACTION REQUIRED]

Thanks, Carolyn! (b) (6) just informed me that Patrick would be sending in his edits also soon.

Have a good night,

Jeff

From: Copper, Carolyn
Sent: Wednesday, October 12, 2016 2:57 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>; Lovinggood, Christina <Lovinggood.Tina@epa.gov>; (b) (6) <(b) (6)@epa.gov>

Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>

Subject: RE: Informal Statement on GKM to Press [ACTION REQUIRED]

Ok. I'll be sending something in shortly, so it should make your timeline, whether it's today or tomorrow!

From: Lagda, Jeffrey

Sent: Wednesday, October 12, 2016 2:50 PM

To: Copper, Carolyn <Copper.Carolyn@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>; (b) (6) <(b) (6)@epa.gov>

Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>

Subject: RE: Informal Statement on GKM to Press [ACTION REQUIRED]

Importance: High

Carolyn, Tina and (b) (6):

If you need time, tomorrow morning will do. Jennifer preferred that we move it forward today, but she'll understand that it's better that we include OPE's final decision in the informal statement.

I won't be in until 2:30pm tomorrow, so I can vet when I come in.

Thanks again to everyone!

Jeff

From: Copper, Carolyn

Sent: Wednesday, October 12, 2016 1:59 PM

To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>

Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>

Subject: RE: Informal Statement on GKM to Press [ACTION REQUIRED]

Jeff – If Tina can't get to it today, I'll get you the information by COB today. Thanks ~ Carolyn

From: Lagda, Jeffrey

Sent: Wednesday, October 12, 2016 1:58 PM

To: Lovingood, Christina <Lovingood.Tina@epa.gov>

Cc: Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>

Subject: RE: Informal Statement on GKM to Press [ACTION REQUIRED]

Would it be possible to get it today? I advised Jennifer that I would send an update before the end of the day.

From: Lovingood, Christina
Sent: Wednesday, October 12, 2016 1:47 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>
Subject: RE: Informal Statement on GKM to Press [ACTION REQUIRED]

Dear Jeff, We are meeting at 2. Can I get back with you in the morning if we have an answer or do you need it today?
Thanks,
t

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation, Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 1:29 PM
To: Lovingood, Christina <Lovingood.Tina@epa.gov>
Cc: Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>
Subject: Informal Statement on GKM to Press [ACTION REQUIRED]
Importance: High

Tina:

As you know, we won't be issuing an official press release on GKM today. However, I will be offering a statement that will give a basic summary of the status.

I drafted the attached statement and forwarded it to OI to edit.

In the interest of time, would you please furnish language that addresses OPE's suspended review and its status. I understood that a decision may or may not have been made during a meeting today.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison

Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:46 AM
To: Levine, Scott
Subject: FW: OGR Letter to DOJ on Gold King

FOIA REQUEST EPA-HQ-2017-000406

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 5:38 PM
To: Elkins, Arthur <Elkins.Arthur@epa.gov>; Sheehan, Charles <Sheehan.Charles@epa.gov>; Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; Lovinggood, Christina <Lovinggood.Tina@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: FW: OGR Letter to DOJ on Gold King

fyi

From: Hambleton, Ryan [<mailto:Ryan.Hambleton@mail.house.gov>]
Sent: Wednesday, October 12, 2016 5:25 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: McGrath, William <William.McGrath@mail.house.gov>
Subject: OGR Letter to DOJ on Gold King

Jeff,

I wanted to give you a heads-up that within the next hour or so OGR and Nat. Resources are going to send a joint letter to DOJ asking for an explanation of why the USA in the Colorado District didn't take up the IG's recommendations for prosecution. We'll send you a copy when it's been signed and sent to DOJ.

Ryan Hambleton
Senior Professional Staff Member
House Committee on Oversight & Government Reform
Rep. Jason Chaffetz, Chairman
(b) (6)

From: Kincheloe, Chad
To: [Rowden, Naomi](#)
Subject: RE: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation
Date: Thursday, October 13, 2016 1:45:00 PM

thanks

From: Rowden, Naomi
Sent: Thursday, October 13, 2016 1:34 PM
To: Kincheloe, Chad <Kincheloe.Chad@epa.gov>
Cc: Parker, Barry <Parker.Barry@epa.gov>
Subject: RE: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation

It's in [A014](#) for your review now.

Thanks,
Naomi

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 9:55 AM
To: Rowden, Naomi <Rowden.Naomi@epa.gov>
Cc: Parker, Barry <Parker.Barry@epa.gov>
Subject: FW: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation

Naomi, can you add to wps thanks

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 11:26 AM
To: Brown, Casey <BrownC@gao.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>
Subject: RE: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation

Dear Casey, I hope you are well! Please see attached for an update on our work on the Gold King Mine spill. It might be good for us to connect again soon to coordinate on the status of your/our work. October is challenging for me as I am trying to do end of performance reviews as well, but since I also don't know the status of your work, I welcome any feedback you have on the timing of such a conversation.

Thanks,
t

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation
Office of Inspector General
CPA (VA), CIA, CEA, MBA

From: Brown, Casey [<mailto:BrownC@gao.gov>]
Sent: Monday, August 01, 2016 9:47 AM
To: Lovingood, Christina <Lovingood.Tina@epa.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>
Subject: RE: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation

Thanks Tina!

From: Lovingood, Christina [<mailto:Lovingood.Tina@epa.gov>]
Sent: Monday, August 01, 2016 7:38 AM
To: Brown, Casey
Cc: Kincheloe, Chad
Subject: FW: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation

Dear Casey, Fyi in case you did not receive this.
t

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation, Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

From: EPA OIG [<mailto:oig.news@epa.gov>]
Sent: Friday, July 29, 2016 5:55 PM
To: EPA OIG-News Notification List <oig-news@lists.epa.gov>
Subject: [oig-news] News Release: EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues Criminal Investigation

[US EPA, Office of Inspector General](#)



NEWS RELEASE

EPA OIG Pauses Program Evaluation of Gold King Mine Spill, Continues
Criminal Investigation (<http://go.usa.gov/xg5nk>)
July 29, 2016

Due to high public interest in the Gold King Mine release of water containing heavy

metals into a tributary to the Animas River in August 2015, the U.S. Environmental Protection Agency Office of Inspector General (OIG) today posted to its website letters recently sent to congressional members regarding the status of the OIG's related work.

U.S. EPA Office of Inspector General
1200 Pennsylvania Avenue, NW (2410T)
Washington, DC 20460
www.epa.gov/oig

File a [Hotline Complaint](#) of Fraud, Waste or Abuse in an EPA Program
Subscribe to our [Email Updates](#)
Follow [@EPAoig](#) on Twitter

[Unsubscribe](#)

From: [Holthaus, Randy](#)
To: [Kincheloe, Chad](#)
Subject: RE: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 2:50:22 PM

Thanks Chad for letting me know you are gearing back up on GKM OPE work.

Randy

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 2:47 PM
To: Hanna, Steve <Hanna.Steve@epa.gov>; Holthaus, Randy <Holthaus.Randy@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

FYI...see press release below. Thanks

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 2:16 PM
To: Thornton, Kecia <Thornton.Kecia@epa.gov>; Anthofer, Wayne <Anthofer.Wayne@epa.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

Dear Kecia and Wayne, Things are quickly happening, but I wanted to make sure that you received communication about all of the below. In particular, as it pertains to the Land Cleanup and Waste Management Program Evaluations group's work, please see the highlighted text. If you have any questions, please don't hesitate to contact me at the number below, or Chad Kincheloe, Project Manager, at 312-886-6530.

Thanks,
Tina

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation
Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>;

Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>

Subject: Gold King Mine Spill - EPA OIG Update

Importance: High

Everyone:

The EPA's Office of Inspector General would like to provide the following update on its work related to the Gold King Mine spill:

The August 2015 Gold King Mine release in Colorado resulted in approximately 3 million gallons of water containing heavy metals such as arsenic, cadmium, lead, and mercury to be released into a tributary to the Animas River.

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If you have any additional questions, contact me. However, please note that I will be unable to offer specifics of the investigation at this time.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: Kincheloe, Chad
To: [Rowden, Naomi](#)
Subject: RE: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 3:11:00 PM

thanks

From: Rowden, Naomi
Sent: Thursday, October 13, 2016 3:11 PM
To: Kincheloe, Chad <Kincheloe.Chad@epa.gov>
Cc: Parker, Barry <Parker.Barry@epa.gov>
Subject: RE: Gold King Mine Spill - EPA OIG Update

Hi, I added this to the ongoing workpaper for communication with the agency, [A011](#).

Thanks,
Naomi

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 12:18 PM
To: Rowden, Naomi <[Rowden.Naomi@epa.gov](#)>
Cc: Parker, Barry <[Parker.Barry@epa.gov](#)>
Subject: FW: Gold King Mine Spill - EPA OIG Update

Naomi, can you add this to the wps thanks

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 2:16 PM
To: Thornton, Kecia <[Thornton.Kecia@epa.gov](#)>; Anthofer, Wayne <[Anthofer.Wayne@epa.gov](#)>
Cc: Kincheloe, Chad <[Kincheloe.Chad@epa.gov](#)>; Gilbride, Patrick <[Gilbride.Patrick@epa.gov](#)>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

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Tina

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation
Office of Inspector General

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: Gold King Mine Spill - EPA OIG Update
Importance: High

Everyone:

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If you have any additional questions, contact me. However, please note that I will be unable to offer specifics of the investigation at this time.

Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: [Lovingood, Christina](#)
To: [Kincheloe, Chad](#)
Subject: RE: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 3:40:12 PM

Thank you, Chad!

I sent the correction to Jim Hageman at 3:44 pm and cc'd you. Did you not receive it?
t

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 4:38 PM
To: Lovingood, Christina <Lovingood.Tina@epa.gov>
Subject: RE: Gold King Mine Spill - EPA OIG Update

Tina, I'm going to forward this to Steve in R9 and Randy in R6 as well so they are aware as regional POCs. I will cc you

Also, Wayne is not the R8 audit follow-up coordinator any more. It looks like it is Jim Hageman according to the Sept 20, 2016 OIG report recipients list. Can you forward it to him? Thanks

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 2:16 PM
To: Thornton, Kecia <Thornton.Kecia@epa.gov>; Anthofer, Wayne <Anthofer.Wayne@epa.gov>
Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

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Thanks,
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CPA (VA), CIA, CEA, MBA
202-566-2906

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Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: Gold King Mine Spill - EPA OIG Update
Importance: High

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Thanks,

Jeff

Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102

Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: [Lovingood, Christina](#)
To: [Kincheloe, Chad](#)
Subject: RE: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 3:40:12 PM

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t

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Sent: Thursday, October 13, 2016 4:38 PM
To: Lovingood, Christina <Lovingood.Tina@epa.gov>
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Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

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Thanks,
Tina

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation
Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Subject: Gold King Mine Spill - EPA OIG Update
Importance: High

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Thanks,

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Jeffrey A. Lagda
Congressional and Media Liaison
Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102

Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: [Lovingood, Christina](#)
To: [Kincheloe, Chad](#)
Subject: RE: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 3:41:39 PM

Great! Thank you for letting me know. No sweat! For a second, I thought my email wasn't going out or something!

t

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 4:41 PM
To: Lovingood, Christina <Lovingood.Tina@epa.gov>
Subject: RE: Gold King Mine Spill - EPA OIG Update

Sorry Tina, I had this email drafted then we talked on the phone, and we have taken care of this. I accidentally hit the send button.

I sent the updates to Steve and Randy and you sent another email to Jim. No further action needed. Thanks

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 3:38 PM
To: Lovingood, Christina <Lovingood.Tina@epa.gov>
Subject: RE: Gold King Mine Spill - EPA OIG Update

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Cc: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Gilbride, Patrick <Gilbride.Patrick@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

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Thanks,
Tina

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From: Lagda, Jeffrey
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Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
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Jeff

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Office of Congressional and Public Affairs - Office of Inspector General
U.S. Environmental and Protection Agency
1301 Constitution Ave. NW, Rm 3102
Washington, DC 20460
202-566-2584
Lagda.Jeffrey@epa.gov

From: [Parker, Barry](#)
To: [Kincheloe, Chad](#)
Subject: RE: Gold King Mine Spill - EPA OIG Update
Date: Thursday, October 13, 2016 11:54:39 AM

sure

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 12:54 PM
To: Parker, Barry <Parker.Barry@epa.gov>
Cc: Rowden, Naomi <Rowden.Naomi@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

Barry, can you add to the wps. thanks

From: Copper, Carolyn
Sent: Wednesday, October 12, 2016 5:08 PM
To: Lovingood, Christina <Lovingood.Tina@epa.gov>; Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Parker, Barry <Parker.Barry@epa.gov>; Rowden, Naomi <Rowden.Naomi@epa.gov>
Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>
Subject: FW: Gold King Mine Spill - EPA OIG Update
Importance: High

Hi All – FYI. I believe the EPA names (except Jennifer) showing on the cc list are in the Agency's public affairs office.

Tina – suggest you or Chad follow-up with Jeff to be sure we know who has received this notice.

Thanks!

From: Lagda, Jeffrey
Sent: Wednesday, October 12, 2016 6:03 PM
To: Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Cc: Benenati, Frank <benenati.frank@epa.gov>; Harrison, Melissa <Harrison.Melissa@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
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202-566-2584
Lagda.Jeffrey@epa.gov

From: [Parker, Barry](#)
To: [Kincheloe, Chad](#)
Subject: RE: I just unsuspended the GKM assignment in IGEMS. You may now charge to it. eom t
Date: Thursday, October 13, 2016 11:55:22 AM

Will do

From: Kincheloe, Chad
Sent: Thursday, October 13, 2016 12:54 PM
To: Parker, Barry <Parker.Barry@epa.gov>
Cc: Rowden, Naomi <Rowden.Naomi@epa.gov>
Subject: FW: I just unsuspended the GKM assignment in IGEMS. You may now charge to it. eom t

Can you add this as well

From: Lovingood, Christina
Sent: Thursday, October 13, 2016 10:21 AM
To: Kincheloe, Chad <Kincheloe.Chad@epa.gov>; Parker, Barry <Parker.Barry@epa.gov>; Rowden, Naomi <Rowden.Naomi@epa.gov>
Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>
Subject: I just unsuspended the GKM assignment in IGEMS. You may now charge to it. eom t

Tina Lovingood
Director, Land Cleanup and Waste Management Program Evaluations
Office of Program Evaluation
Office of Inspector General
CPA (VA), CIA, CEA, MBA
202-566-2906

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:45 AM
To: Levine, Scott
Subject: FW: Re-open the GKM assignment

FOIA REQUEST EPA-HQ-2017-000406

From: Copper, Carolyn
Sent: Wednesday, October 12, 2016 3:30 PM
To: Lovinggood, Christina <Lovinggood.Tina@epa.gov>
Cc: El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>
Subject: Re-open the GKM assignment

Tina – you may re-open the GKM assignment, when ready.

Christine – One of the issues that Tina brought up in our meeting today was the possible (b) (5)
I explained that while no decision has been made, (b) (5)

Also, I earlier spoke with Tina about the general issue of (b) (5)
before making any decisions about (b) (5)

Thanks ~ Carolyn

Carolyn Copper, PhD
Assistant Inspector General for Program Evaluation
Office of Inspector General
United States Environmental Protection Agency
Washington, DC
202-566-0829
copper.carolyn@epa.gov

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:35 AM
To: Levine, Scott
Subject: FW: Statutes

FOIA REQUEST EPA-HQ-2017-000406

From: Sullivan, Patrick F.
Sent: Friday, October 07, 2016 11:08 AM
To: Sheehan, Charles <Sheehan.Charles@epa.gov>
Cc: Larsen, Alan <Larsen.Alan@epa.gov>; Elkins, Arthur <Elkins.Arthur@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovinggood, Christina <Lovinggood.Tina@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>; Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: Re: Statutes

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Thank you, Pat and Chuck. We most certainly should move forward with briefings to Senate and House interested parties as soon as possible. OCPA continues to receive queries from staff of multiple committees/members about the status and nature of the OIG's investigative findings, and the program evaluation also is on their radar.

In addition, OCPA receives frequent inquiries from the news media about where the OIG's work, on both fronts, stands. You'll recall that, in April, we issued a news release explaining that the evaluation was being "paused" to protect the investigation. (b) (6), (b) (5)

[REDACTED]

Jennifer

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I suggest notifying all parties with an interest with all due speed. I have not read anything in the e-mail traffic to suggest that the DOJ decision is confidential.

Thanks

Art

Sent from my iPhone

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(b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>
Subject: Fw: Statutes

Chuck,

Yesterday, (b) (6) had a meeting with the U.S. Attorney's Office (USAO), District of Colorado, in Denver. Both Criminal and Civil Division AUSAs attended.

The USAO declined prosecution of the subject EPA employee for criminal and civil violations.

(b) (6) is now completing the ROI which will be presented to the Agency for potential administrative action. I estimate (b) (6) will have the ROI submitted to OC for review within four weeks.

Patrick F. Sullivan
Assistant Inspector General for Investigations
EPA Office of Inspector General

Desk: (202) 566-0308
Cell: (b) (6)
Email: sullivan.patrick@epa.gov

From: (b) (6)
Sent: Thursday, October 6, 2016 4:38 PM
To: Sullivan, Patrick F.; (b) (6); (b) (6)
Subject: Statutes

This morning I presented the GKM case for potential criminal prosecution, as well as potential civil litigation. Both were declined.

Criminal violations to be considered:

18 U.S.C. § 1001: False Statements
33 U.S.C. § 1319: Direct Discharge (to Waters of the U.S. including Wetlands)

Thank you, gentlemen, for your time this afternoon.

(b) (6)

United States Environmental Protection Agency
Office of Inspector General
Office of Investigations

(b) (6)

Lovinggood, Christina

From: Lovinggood, Christina
Sent: Friday, November 04, 2016 9:36 AM
To: Levine, Scott
Subject: FW: Statutes

FOIA REQUEST EPA-HQ-2017-000406

From: Kaplan, Jennifer
Sent: Friday, October 07, 2016 5:59 PM
To: Elkins, Arthur <Elkins.Arthur@epa.gov>
Cc: Sheehan, Charles <Sheehan.Charles@epa.gov>; Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovinggood, Christina <Lovinggood.Tina@epa.gov>; Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: RE: Statutes

Yes, it's a typo. I meant Tuesday. Thanks, Art!

From: Elkins, Arthur
Sent: Friday, October 07, 2016 5:58 PM
To: Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>
Cc: Sheehan, Charles <Sheehan.Charles@epa.gov>; Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovinggood, Christina <Lovinggood.Tina@epa.gov>; Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>
Subject: Re: Statutes

Okay, sounds like a reasonable path forward. As an aside, Monday is a holiday; your note below indicates OIG outreach on Monday. Is this a typo?

Thanks

Art

Sent from my iPhone

On Oct 7, 2016, at 5:15 PM, Kaplan, Jennifer <Kaplan.Jennifer@epa.gov> wrote:

Art and Chuck,

(b) (5)

So we're proceeding as follows: Jeff is constructing a comprehensive list of staff for committees and members who have inquired over time about the OIG's work related to Gold King Mine. First thing Monday, he will send an email to those individuals inviting them to participate in a single 2 p.m. phone briefing with Patrick. After the briefing, we will contact reporters who have covered and/or inquired about our GKM work over time to relay the basic information available to us.

In the event that anyone at the agency does "announce" the USAO's declination between now and Tuesday, the OIG will be ready with the facts.

Jennifer

From: Elkins, Arthur

Sent: Friday, October 07, 2016 11:43 AM

To: Sullivan, Patrick F. <Sullivan.Patrick@epa.gov>

Cc: Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>; Sheehan, Charles <Sheehan.Charles@epa.gov>; Larsen, Alan <Larsen.Alan@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>; Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>

Subject: Re: Statutes

As Jennifer noted earlier, (b) (5)

Sent from my iPhone

On Oct 7, 2016, at 11:37 AM, Sullivan, Patrick F. <Sullivan.Patrick@epa.gov> wrote:

Jennifer,

I think (b) (5)

(b) (5)

I think we should plan to all meet next week to map out the way ahead concerning our Congressional and Public Affairs strategy.

Patrick F. Sullivan

Assistant Inspector General for Investigations

EPA Office of Inspector General

Desk: (202) 566-0308

Cell: (b) (6)

Email: sullivan.patrick@epa.gov

From: Kaplan, Jennifer

Sent: Friday, October 7, 2016 11:13:46 AM

To: Sullivan, Patrick F.; Sheehan, Charles

Cc: Larsen, Alan; Elkins, Arthur; Hanger, Eric; Charen, Susan; Copper, Carolyn; El-Zoghbi, Christine; (b) (6); (b) (6); (b) (6); Lovingood, Christina; Lagda, Jeffrey

Subject: RE: Statutes

Ah – and the agency likely (b) (5)

From: Sullivan, Patrick F.

Sent: Friday, October 07, 2016 11:08 AM

To: Sheehan, Charles <Sheehan.Charles@epa.gov>

Cc: Larsen, Alan <Larsen.Alan@epa.gov>; Elkins, Arthur <Elkins.Arthur@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>; Kaplan, Jennifer <Kaplan.Jennifer@epa.gov>; Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>

Subject: Re: Statutes

Chuck,

One more thing.

In addition to me calling Kevin Minoli, (b) (6) is also going to inform R8 leadership about the declination.

Patrick F. Sullivan

Assistant Inspector General for Investigations

EPA Office of Inspector General

Desk: (202) 566-0308

Cell: (b) (6)

Email: sullivan.patrick@epa.gov

From: Sheehan, Charles

Sent: Friday, October 7, 2016 10:43:27 AM

To: Sullivan, Patrick F.

Cc: Larsen, Alan; Elkins, Arthur; Hanger, Eric; Charen, Susan; Copper, Carolyn; El-Zoghbi, Christine; (b) (6); (b) (6); (b) (6); Lovingood, Christina; Kaplan, Jennifer; Lagda, Jeffrey

Subject: RE: Statutes

Thanks Pat – good idea.

Chuck

From: Sullivan, Patrick F.

Sent: Friday, October 07, 2016 10:43 AM

To: Sheehan, Charles <Sheehan.Charles@epa.gov>

Cc: Larsen, Alan <Larsen.Alan@epa.gov>; Elkins, Arthur <Elkins.Arthur@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>

Zoghbi.Christine@epa.gov; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>;
(b) (6) <(b) (6)@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>; Kaplan, Jennifer
<Kaplan.Jennifer@epa.gov>; Lagda, Jeffrey <Lagda.Jeffrey@epa.gov>

Subject: Re: Statutes

In addition, Chuck, I am copying Jennifer and Jeff.

We should consider updating our Senate and House interested parties.

Patrick F. Sullivan

Assistant Inspector General for Investigations

EPA Office of Inspector General

Desk: (202) 566-0308

Cell: (b) (6)

Email: sullivan.patrick@epa.gov

From: Sullivan, Patrick F.

Sent: Friday, October 7, 2016 10:40:04 AM

To: Sheehan, Charles

Cc: Larsen, Alan; Elkins, Arthur; Hanger, Eric; Charen, Susan; Copper, Carolyn; El-Zoghbi, Christine; (b) (6); (b) (6);
(b) (6); (b) (6); Lovingood, Christina

Subject: Re: Statutes

Great questions, Chuck.

OPE can move forward.

I have been keeping Kevin Minoli in the loop.

I will call him to let him know DOJ has declined and that we will be submitting an ROI for possible administrative action by the Agency.

Patrick F. Sullivan

Assistant Inspector General for Investigations

EPA Office of Inspector General

Desk: (202) 566-0308

Cell: (b) (6)
Email: sullivan.patrick@epa.gov

From: Sheehan, Charles
Sent: Friday, October 7, 2016 10:35:35 AM
To: Sullivan, Patrick F.
Cc: Larsen, Alan; Elkins, Arthur; Hanger, Eric; Charen, Susan; Copper, Carolyn; El-Zoghbi, Christine; (b) (6); (b) (6); (b) (6); Lovingood, Christina
Subject: RE: Statutes

Thanks for the word on the closure of this phase, Pat.

Is there any reason for OPE not having a green light to now continue on with its work?

Should the Agency be told of DOJ's decision?

Chuck

From: Sullivan, Patrick F.
Sent: Friday, October 07, 2016 10:31 AM
To: Sheehan, Charles <Sheehan.Charles@epa.gov>
Cc: Larsen, Alan <Larsen.Alan@epa.gov>; Elkins, Arthur <Elkins.Arthur@epa.gov>; Hanger, Eric <Hanger.Eric@epa.gov>; Charen, Susan <Charen.Susan@epa.gov>; Copper, Carolyn <Copper.Carolyn@epa.gov>; El-Zoghbi, Christine <El-Zoghbi.Christine@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; (b) (6) <(b) (6)@epa.gov>; Lovingood, Christina <Lovingood.Tina@epa.gov>
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To: Sullivan, Patrick F.; (b) (6); (b) (6)
Subject: Statutes

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33 U.S.C. § 1319: Direct Discharge (to Waters of the U.S. including Wetlands)

Thank you, gentlemen, for your time this afternoon.

(b) (6)

United States Environmental Protection Agency
Office of Inspector General
Office of Investigations

(b) (6)

From: [Parker, Barry](#)
To: [Kincheloe, Chad](#)
Subject: WP A011b is ready for your review.
Date: Thursday, October 13, 2016 12:59:24 PM

Hi Chad –

WP [A011b](#) is ready for your review.

Thanks - Barry